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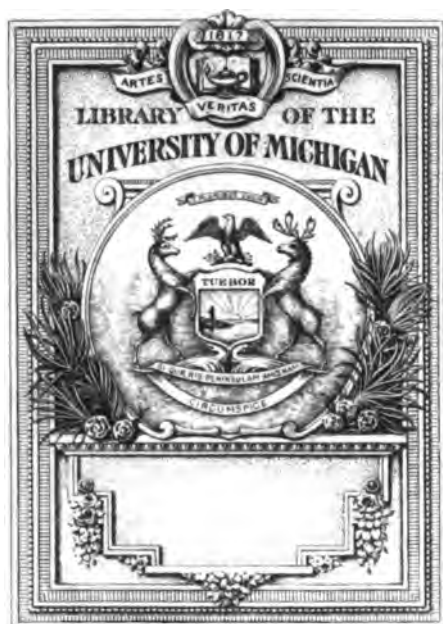
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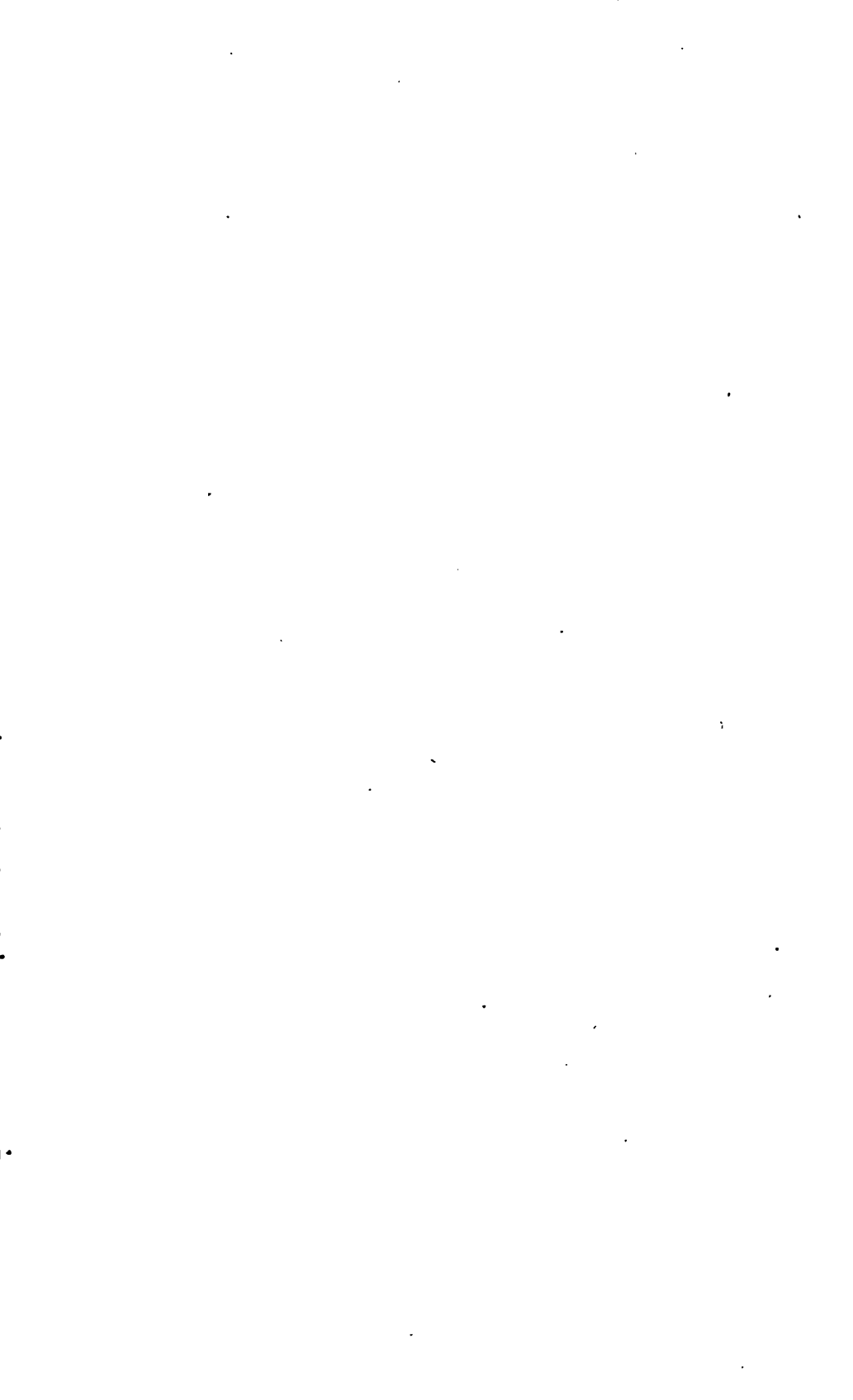
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JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF NEW-YORK;  
AT THEIR  
SEVENTY-FIRST SESSION,

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY,  
ON THE FOURTH DAY OF JANUARY, 1848.

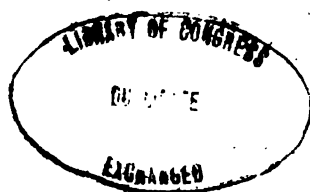
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ALBANY:  
CHARLES VAN BENTHUYSEN, PUBLIC PRINTER.

.....  
1848.



# JOURNAL OF THE SENATE.

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## STATE OF NEW-YORK:

Senate Chamber, in the City of Albany,

TUESDAY, JANUARY 4, 1848.

PURSUANT to the sixth section of the tenth article of the Constitution of the State of New-York, designating the first Tuesday in January in each year for the time of meeting of the Legislature, the Honorable HAMILTON FISH, Lieutenant-Governor, and the following Senators from the several Senate Districts of this State, appeared in the Senate Chamber, to wit :

*From Senate District Number One.*  
John G. Floyd.

*From Senate District Number Two.*  
David A. Bokee.

*From Senate District Number Three.*  
William Hall.

*From Senate District Number Four.*  
John L. Lawrence.

*From Senate District Number Five.*  
Samuel Frost.

*From Senate District Number Six.*  
William Samuel Johnson.

*From Senate District Number Seven.*  
Saxton Smith.

*From Senate District Number Eight.*  
Alexander J. Coffin.

*From Senate District Number Nine.*  
Samuel J. Wilkin.

*From Senate District Number Ten.*  
Platt Adams.

*From Senate District Number Eleven.*  
Valentine Treadwell.

*From Senate District Number Twelve.*  
Albert R. Fox.

*From Senate District Number Thirteen.*  
James M. Cook.

*From Senate District Number Fifteen.*  
John Fine.

*From Senate District Number Sixteen.*  
Thomas Burch.

*From Senate District Number Seventeen.*  
John M. Betts.

*From Senate District Number Eighteen.*  
David H. Little.

*From Senate District Number Nineteen.*  
Thomas E. Clark.

*From Senate District Number Twenty.*  
Thomas H. Bond.

*From Senate District Number Twenty-two.*  
George Geddes.

*From Senate District Number Twenty-three.*  
Samuel H. P. Hall.

*From Senate District Number Twenty-four.*  
William I. Cornwell.

*From Senate District Number Twenty-five.*  
Timothy S. Williams.

*From Senate District Number Twenty-six.*  
William M. Hawley.

*From Senate District Number Twenty-seven.*  
Jerome Fuller.

*From Senate District Number Twenty-eight.*  
A. Hyde Cole.

*From Senate District Number Twenty-nine.*  
Allen Ayrault.

*From Senate District Number Thirty.*  
John W. Brownson.

*From Senate District Number Thirty-one.*  
John T. Bush.

*From Senate District Number Thirty-two.*  
Frederick S. Martin.

The Senators present having taken and subscribed the Constitutional oath of office,

The Lieutenant-Governor addressed the Senate as follows :

SENATORS :

The assembling of a new Legislature is at all times an interesting event ; but the first session of the Legislature first chosen under a new form of government, is calculated to engage the most earnest solicitude of the people ;—and it is because this is a new body, and the first under the new order of things in this State, and towards which my office places me in an intimate and interesting relation, that I have thought it would not be inappropriate in me to ask the indulgence of the Senate while I submit a few observations.

In the exercise of their reserved rights, the people of this State have thought fit to change their organic laws—and have again exhibited to the world an instance of that quiet and peaceable revolution of government, the practicability of which it was reserved for our form of institutions to establish and to vindicate.

Among the changes introduced by the Constitution under which you have been elected, some of the most marked are to be found in the limitation of the powers of the Legislature, and especially in the constitution of this body, with its multiplied constituencies, its more limited duration, and its periodical dissolution.

We meet charged with more than ordinary responsibilities—charged with the hopes of a large majority of our common constituents, in the success of their new form of government—some portions of which have been brought into existence, before their powers or duties have been defined by legislative provision—while important general laws, whose enactment is required by the Constitution, remain yet to be framed. The result of your deliberations will, therefore, in

a great degree, determine the success of the experiment on which we have entered.

By virtue of my office, I can have but an incidental influence upon your deliberations, and a rarely occurring voice in their progress, without the right of a vote upon bills which you may have matured for a final passage. But I assure you of my cordial co-operation in your labors.

In the discharge of the duties of the Chair, I may often need your forbearance, your assistance, your charitable indulgence. I ask them, now, in advance.

While I do not profess to be exempt from those feelings of strong party attachment, without which no man can obtain a seat in this body—and without which, perhaps, no man ought to obtain a seat here—for a proper attachment to party, is but the manifestation of attachment to country; and party organization is but the machinery whereby patriotic men, with a charitable regard for differences of opinion, honestly seek to advance the welfare of the republic, I promise you that in the discharge of the duties of the Chair, I shall know no distinction of party—but shall exercise the most scrupulous impartiality in my efforts to aid your labors in the discharge of the high trust which is committed to you.

On motion of Mr. S. H. P. Hall,

The Senate then proceeded to elect a Clerk of the Senate, and each Senator present openly nominated, as follows :

#### FOR ANDREW H. CALHOUN.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Bond	Mr. Cornwell	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. W. Hall	

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#### FOR ISAAC R. ELWOOD.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Smith

6

Andrew H. Calhoun having been nominated by a majority of all the Senators present, was declared to be duly elected Clerk of the Senate.

On motion of Mr. Bokee,

The Senate then proceeded to elect a Sergeant-at-arms of the Senate, when each Senator present openly nominated as follows :

#### FOR SENTER M. GIDDINGS.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Johnson

Mr. Bond	Mr. Cornwell	Mr. Lawrence	
Mr. Brownson	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Treadwell	
Mr. Clark	Mr. Geddes	Mr. Wilkin	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams	24

## FOR CHARLES BRYAN.

Mr. Adams	Mr. Fine	Mr. Hawley	
Mr. Betts	Mr. Floyd	Mr. Smith	6

Senter M. Giddings having been nominated by a majority of all the Senators present, was declared to be duly elected Sergeant-at-arms of the Senate.

On motion of Mr. Treadwell,

The Senate then proceeded to elect a Doorkeeper of the Senate, when each Senator present openly nominated as follows :

## FOR RANSOM VAN VALKENBURGH.

Mr. Ayrault	Mr. Cole	Mr. W. Hall	
Mr. Bokee	Mr. Cook	Mr. Johnson	
Mr. Bond	Mr. Cornwell	Mr. Lawrence	
Mr. Brownson	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Treadwell	
Mr. Clark	Mr. Geddes	Mr. Wilkin	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams	24

## FOR JARED S. HALSEY.

Mr. Adams	Mr. Fine	Mr. Hawley	
Mr. Betts	Mr. Floyd	Mr. Smith	6

Ransom Van Valkenburgh having been nominated by a majority of all the Senators present, was declared to be duly elected Doorkeeper of the Senate.

On motion of Mr. Frost,

The Senate then proceeded to elect an Assistant Doorkeeper of the Senate, when each Senator present openly nominated as follows :

## FOR GEORGE A. LOOMIS.

Mr. Ayrault	Mr. Cole	Mr. W. Hall	
Mr. Bokee	Mr. Cook	Mr. Johnson	
Mr. Bond	Mr. Cornwell	Mr. Lawrence	
Mr. Brownson	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Treadwell	
Mr. Clark	Mr. Geddes	Mr. Wilkin	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams	24

## FOR MARTIN MILLER.

Mr. Adams  
Mr. Betts

Mr. Fine  
Mr. Floyd

Mr. Hawley  
Mr. Smith

George A. Loomis having been nominated by a majority of all the Senators present, was declared to be duly elected Assistant Door-keeper of the Senate.

*Ordered*, That Mr. Cornwell and Mr. Floyd wait upon his Excellency the Governor, and inform him that the Senate are convened, and ready to proceed to business.

*Ordered*, Mr. S. H. P. Hall and Mr. Smith wait upon the Assembly, with a like message.

On motion of Mr. Little,

*Resolved*, That the Clerk be directed to invite the clergymen of this city having charge of congregations, to open the daily sittings of the Senate with prayer, in such order as may be most convenient for themselves.

On motion of Mr. Fine,

*Resolved*, That each Senator occupy a seat, the number of which corresponds with the number of his district.

A message was received from the Assembly, delivered by Mr. Coe and Mr. Bowie, informing that the Assembly were organized, and ready to proceed to business.

Mr. Cornwell reported that Mr. Floyd and himself had waited on the Governor, and delivered the message of the Senate; to which the Governor replied, that he would immediately transmit a message to the Senate.

Mr. S. H. P. Hall reported that Mr. Smith and himself had waited upon the Assembly, and informed them that the Senate were organized and ready to proceed to business.

A message from the Governor, delivered by his private Secretary, was received and read in the words following, to wit:

## TO THE SENATE AND ASSEMBLY.

## FELLOW CITIZENS:

In the discharge of so much of the duty imposed by the Constitution, requiring me to communicate annually to you the condition of the State, as relates to its fiscal affairs, I refer you to the annual report of the Comptroller, which will be laid before you at an early day. By that document you will be informed that the indebtedness of the State, on the 30th September last was as follows:

General Fund debt, .....	\$6,139,840 86
Canal debt, .....	16,743,749 57

Making the whole debt of the State, .....	\$22,883,590 43
The liabilities of the State, on account of railroads, which may be set down as contingent State debts, amount to .....	1,563,000 00

Making an aggregate of indebtedness, direct and contingent, of .....	\$24,446,590 43
The revenues from the canals for the year ending the 30th September last, were .....	3,473,484 60
The expenses of the canals for the same period, including the sum of \$3,995.76, for tolls refunded, were, .....	643,766 08
Leaving an aggregate of surplus revenues of.....	\$2,829,718 52
From this sum there has been taken the contributions to the several Sinking Funds, under the "seventh" article of the Constitution, amounting in the aggregate, to.....	1,850,000 00
Leaving a balance, of.....	\$979,718 52

This last mentioned sum is pledged by the Constitution to the enlargement of the Erie and the completion of the Genesee Valley and Black River canals. Appropriations have been made by your predecessors embracing the whole sum, and anticipating twenty-nine thousand dollars of the surplus revenues of the current year.

The receipts of tolls since the 30th of September last, amount to one million four hundred and nineteen thousand four hundred and twenty-three dollars and seventy-five cents. The expenditures for the same period have not yet been ascertained.

The amount of the State stocks originally issued and made payable on the first day of July next, is.....	\$1,584,736 00
Of this there has been redeemed, .....	346,006 00

Leaving a balance outstanding of.....	\$1,238,730 00
To this is to be added nine months interest on the entire canal debt from 30th September, 1847, to July 1st, 1848, .....	685,335 67

Making an aggregate of .....	\$1,924,065 67
To meet this indebtedness at maturity, there will be derived from the Sinking Fund under the Con-	

Carried forward, .....	
Brought forward, .....	
stitution, and one-tenth of the mill tax for each of the years 1845 and 1846, means amounting in the whole, to .....	1,102,548 51

And leaving a deficiency unprovided for on the first of July, 1848, of.....	\$821,517 10
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In my last annual message, I invited the attention of your predecessors to the importance of completing the Erie enlargement, and the Genesee Valley and Black River canals, at an earlier day than was to be expected under the restraints of the "seventh" ar-

ticle of the Constitution, and I then expressed the opinion that if the contributions to the several Sinking Funds (except such sum as would be necessary to meet the accruing interest upon the public debt,) should be suspended until the unfinished public works were completed, we "might reasonably indulge the hope that the increasing revenues promised by the enlargement, would pay our indebtedness at an earlier day than was to be expected under the limitations of the Constitution," and nothing has since occurred to change that opinion.

The limits prescribed to this communication will scarcely permit me to speak of the facts connected with the necessity of enlarging the Erie canal, and the delays incident to its navigation with its present limited capacity;—besides, it is believed this information will better reach you through the appropriate committees.

In 1835, ten years after the completion of the Erie and Champlain canals, the debt which had been incurred for their construction had been virtually paid, and the State, free from direct taxation, was in the full enjoyment of the revenues of these great channels of trade, and of the specific revenues which had been diverted from the general purposes of the government, as well as of all its ordinary revenues. But it was found thus early that the locks, aqueducts, and other mechanical structures on the canal, were already worn with time and use, and that the Erie canal, owing to its limited dimensions and inadequate lockage, had failed to secure to our citizens the greatest practicable benefits of cheap transportation for their own productions, and that full command of the western trade which had been anticipated. Enlargement having thus become necessary, it was wisely determined to perfect it in a durable manner, and with capacity sufficient for the vast increase of business then foreseen, and since realized.

In 1836 the State engaged in the construction of the Black River canal, to connect Lake Ontario and the Erie canal, through a broad region deprived of facilities of access to market; and also the Genesee Valley canal, designed to connect the head waters of the Ohio with the Erie canal, and make its trade tributary to New York.

The estimated cost of all these works, submitted by the proper department, was \$15,475,201. The work was prosecuted, with quite inadequate appropriations, till 1838, when, by an elaborate examination of the financial condition of the State, made by a committee of the House of Assembly, it was shown that the works might be prosecuted more vigorously, because, while they were estimated to cost only about fifteen and a half millions, the revenues of the canals alone were such that, if necessary, the State might expend thirty millions of dollars, and receive full reimbursements of that sum from the canals before 1857; or even forty millions, if necessary, and be reimbursed from the same revenues before 1865, without the resort to any tax, or the diversion of any of the other revenues of the State. This calculation was based on an estimate of such a constant increase of revenues from all the canals that in 1849, ten years after the completion of the enlargement, the revenues of the canals would reach three millions of dollars. This estimate, not only in its com-

prehensive results, but in its minute details, has been subjected to the test of time. The enlargement has not been completed, and the year 1849 has not arrived, but the calculation has been fully verified, and the tolls have already reached to nearly the sum of three and a half millions of dollars. The State adopted, in 1838, the more vigorous policy, based on this calculation, and pursued it until 1842, notwithstanding the discovery was made, in 1839, that the cost of the canals, instead of fifteen and a half million of dollars, as at first estimated, would rise to the sum of thirty millions four hundred and forty-five thousand five hundred and eighty-seven dollars. It is now clearly seen, by the demonstration of time and experience, that if the State had firmly and prudently persevered in that policy to the end, we should now, without having paid any taxes, or incurred any necessity for taxation whatever, have had free navigation from the great lakes, through Jefferson and Lewis and Oneida counties, to Rome; and from the Allegany river, through Allegany, Livingston, and Monroe counties, to the Erie canal and the lakes; and a canal seventy feet wide and seven feet deep, with durable double locks, and firm and capacious aqueducts, from Lake Erie to the Hudson river.

Thus our great system of inland navigation would have been completed and perfected; the tolls and cost of transportation on the Erie canal would have been greatly reduced; a considerable portion of the expenditure reimbursed; the remaining cost of these structures would have been discharged in 1857, and the State left in the enjoyment of revenues, even at such reduced rates of tolls, of not less than five millions of dollars per annum. Instead of occupying this high vantage ground, we are now resuming the Genesee Valley canal, which was relinquished after one third of it had been constructed—the Black river canal, suspended, when one-half completed, and the Enlargement of the Erie canal, abandoned when nearly one-half of the cost of the enterprise had been paid. We resume these works after having paid about half a million of dollars of damages to contractors—after having lost for five years the interest on more than fifteen millions already expended, and incurred unascertained losses from the waste of materials and the dilapidation of unfinished works and structures.

But our constituents, with creditable unanimity and enlightened urgency, expect the Legislature will sanction the most energetic efforts that can be made under circumstances so peculiar, to complete enterprises which are no longer of merely speculative importance, but have become, through the lapse of time, the advance of the country, and the vigorous rivalry of competitors for the western trade, indispensable to our prosperity and to the maintenance of that high ascendancy hitherto secured to us by the enlightened and energetic policy of our predecessors.

In this connection, there is no subject of more immediate interest to the people of this State, than the construction of safe and commodious harbors on the Western Lakes, and the improvement of the navigation of our Rivers. The former is necessary to enable the Western States, our principal customers, to bring their produce to

our canals for transportation—the latter is required to facilitate its transit to our markets. The rapid increase of commerce upon those inland seas has corresponded with the increase in the population and wealth of the States that lie upon their borders.

All estimates in regard to the tonnage or trade of the Lakes must be imperfect, from the absence of any regular system of statistics. The enrolled and licensed tonnage in 1841, as exhibited in the official report of the Treasury Department, amounted to 56,252 tons. From the same source it is ascertained to amount in 1846, to 106,836 tons. Lieut. Colonel Abert, in a very able report, made in answer to a resolution of the Senate of the United States, estimates the nett value of the Lake commerce for the year 1846, at \$61,914,910, to which he adds \$1,250,000 for the "passenger trade," making a total of \$63,164,910.

It is estimated that for the next ten years this trade will increase at the rate of seventeen per cent. per annum, showing the nett value of our Lake commerce in 1857, at \$170,545,257. The number of entries and clearances for the whole American Lake commerce, in 1846, amounted to 15,855, while all the entries and clearances of all the vessels belonging to the United States, and engaged in foreign trade, amounted to 16,562. The vessels employed in this vast inland trade, nearly rivaling all our foreign commerce, and which is considered as hazardous as that of the high seas, require safe and commodious harbors, piers and light houses for their protection. The early attention of Congress was called to this subject, and appropriations were solicited for the construction of these necessary improvements. Inadequate sums were, from time to time, appropriated for the construction or commencement of a chain of public works which stretched along the southern shores of nearly all the Lakes that flow into the St. Lawrence. These appropriations contemplated the improvement of the mouths of the rivers, by removing the bars, or by deepening or widening the channels at their mouths, the erection of piers and light houses, and such other expenditures as would furnish to the prescribed localities, safe and sufficient harbors. The original appropriations for many of these objects were barely sufficient to survey and commence the improvements, but those interested in their construction, looked confidently to Congress for the means for their completion. It was believed to be the settled policy of the federal government to foster and protect this important branch of our national commerce. It is the great channel through which the western farmer sends his produce to an eastern market.

In July, 1846, an act appropriating one million three hundred and seventy-eight thousand four hundred and fifty dollars, was passed by Congress "for the improvement of Rivers and Harbors." The President of the United States, on the 3d of the following August, returned the bill to the House of Representatives with his objections. In addition to his constitutional objections to the bill, the President apprehended that should it "be sanctioned and become a law, no practical constitutional restraint can hereafter be imposed upon the most extended system of internal improvements by the

federal government in all parts of the Union." The doctrine of one of his predecessors, that "appropriations of this character should be confined below the ports of entry and delivery established by law," is discarded by the present executive, and therefore even such expenditures have ceased to be constitutional.

Since the meeting of the present session of Congress, the President has returned a bill, with his objections, passed near the close of the last session, "for constructing certain works in the Territory of Wisconsin, and for other purposes." The President states that on returning a bill to the House of Representatives at the preceding session, containing similar provisions and appropriations, he stated his objections to its passage, and that those objections remain unchanged. The unconstitutionality of these appropriations for the protection of our commerce, is insisted on and ingeniously enforced. The President also argues against the appropriations, for the reason, that if Congress is allowed any discretion in similar expenditures, there could be no restraint upon the amount of money that would be squandered. This subject is quite too important not to attract the attention of every statesman, and I cannot doubt that views more in conformity with the public interest will ultimately prevail. But a discussion as to the power of Congress to make appropriations for lake harbors and the improvement of rivers, or in respect to the exercise of such a power, assuming that it exists, is inappropriate to this communication, and has only been alluded to here from its intimate connection with the prospective legislation of this State in regard to the Erie canal.

In my annual communication to your predecessors, I expressed the opinion that the security required for the redemption of bank notes under the sixth section of the eighth article of the constitution rested entirely in the discretion of the legislature, and this opinion seems to be generally acquiesced in. Although the subject engaged much attention of the legislature at its last session, no general laws were passed for the government of banking institutions. These institutions exert an important influence upon the business interests of the State, and if you shall consider the time auspicious for the enactment of laws to provide for their organization and management, I have no doubt you will enter upon the discharge of that duty with a full consciousness that it will require of you great wisdom in establishing general principles, and the utmost patience and care in settling details.

No bank charter will expire during the present year. Of the seventy-seven banks in this State, doing business under special charters, the charter of one will expire in 1849; four in 1850, and the residue from 1851 to 1866, inclusive.

There were of the Stocks of this State, held in trust by the Comptroller on the first day of December last, to secure the redemption of notes issued by banks doing business under the General Banking law, seven millions nine hundred thousand two hundred and thirty-nine dollars and eighty cents; and of the Stocks of the United States, one hundred and nineteen thousand dollars.

Under our present laws, the Stocks of the United States are not

receivable by the Comptroller as the basis of Bank issues. The propriety of so amending the laws as to provide for their reception, has been agitated, and, I doubt not, will be again, at your present session. That such provision by law will ultimately become necessary, can scarcely be doubted; but I do not think a proper regard for the prospective value of our own Stocks will justify it, at this time. While this cannot be said to be a season of pecuniary embarrassment here, the markets are feverish and delicate, and such a condition of things is not, in general, propitious to financial legislation.

In our country, for reasons that have been so often and so well stated that I need not repeat them, the education of its children has been, and, I trust, will continue to be, matter of the deepest solicitude. Common Schools, from their universality, reaching every neighborhood, and shedding their influence upon every family, and into every mind, expelling the primary causes of vice and crime, and erecting altars to patriotism and virtue, have justly been considered the peculiar objects of Legislative care.

The practical importance of the State Normal School, for the education of teachers, is beginning to be felt; and in the tone, strength and vigor to be given to Common Schools, by distributing through the State, teachers who shall have been thoroughly instructed, it is believed, will be found most convincing arguments in defence of reasonable but liberal appropriations by the State to this object.

The capital of the Common School Fund is \$2,170,514.47, and its annual income for the last fiscal year \$131,554.21. The capital of the United States Deposit Fund is \$4,014,520.71, and the annual income thereof for the last fiscal year was \$262,370.76.

By the ninth article of the Constitution, it is provided that "the sum of twenty-five thousand dollars of the revenues of the United States Deposit Fund, shall, each year, be appropriated to and made a part of the capital of the said Common School Fund;" and by an act of the 12th of May last, it is provided that the residue of the United States Deposit Fund, not otherwise appropriated, shall be annually added to the capital of the Common School Fund.

The amount of "public money" paid, on account of teachers' wages, for the last year, was, ..... \$605,390 11  
And the amount paid on rate bills, ..... 462,840 44

Making an aggregate of, ..... \$1,068,230 55

From the returns made by the town superintendents, for the year ending 30th June, 1847, it appears that the whole number of children in the State, between the ages of five and sixteen, is seven hundred thousand four hundred and forty-three, and that the number of children taught in the Common Schools during the year was seven hundred and forty-eight thousand three hundred and eighty-seven—exceeding the number between the ages of five and sixteen by forty-seven thousand nine hundred and thirty-four. The strength that district libraries have acquired, evidences the public appreciation of these important auxiliaries to our primary schools. During

the last year, ninety-two thousand eight hundred and ninety-nine dollars and fifty-eight cents have been paid for books, and there are now in these district libraries one million three hundred and ten thousand nine hundred and eighty-six volumes.

Having discharged our whole duty to common schools, the higher institutions of learning must not be forgotten. Any abatement of the interest of the State in these institutions is to be felt almost exclusively by those, who, in their enquiries after knowledge, most require the paternal care of the State. By the fortunate sons of the affluent it is regarded with entire indifference, but to those who are the "artificers of their own fortune," rowing against a strong current, struggling with poverty and laboring with their hands to procure the means of cultivating their minds, it is matter of vital importance. The doctrine that would deny to these institutions any participation in the moneys, from time to time appropriated by the State to the cause of education, would strengthen the aristocracy of wealth by adding to it the aristocracy of letters.

The protection of property and the encouragement of its acquisition are among the important elements of civilization, but in legislating for a people whose institutions permit any boy, whatever his birth or condition, to aspire to the highest places of honor and usefulness, it is a manifest duty to enact such laws, relating to mental culture, as will place aspirants for honorable promotion upon a footing of equality.

While you should leave nothing undone to improve the character and enlarge the sphere of common schools, I feel assured, that the ability of the State, in so far as it can be exerted without prejudice to other interests, will be put forth to furnish facilities for a higher order of attainments in literature and science.

The income of the Literature Fund is pledged by the Constitution to the academies. The capital of that fund is \$265,306.78, yielding an income the last fiscal year of \$17,335.65.

By an act of the 12th of May last, there was appropriated of the revenues of the "Literature Fund," thirteen thousand dollars, and of the United States Deposit Fund twenty-seven thousand dollars, making in the aggregate forty thousand dollars, for each of the years eighteen hundred and forty-seven and eighteen hundred and forty-eight, to be apportioned by the Regents of the University among the several academies and seminaries of learning, in proportion to the number of pupils in each who shall have pursued the requisite studies to entitle them to share in such distribution. The same act appropriates eight hundred and fifty dollars, to be paid to the Regents of the University, to defray certain expenses incident to the care of these institutions, and the further sum of three thousand seven hundred dollars, to be assigned to certain academies and seminaries of learning, for the purchase of text-books, maps, globes and philosophical and chemical apparatus. These last appropriations were also made, as well for the last as this year. This act also makes special appropriations, for the same period, to several medical colleges and other institutions of learning, to be paid out of the United States Deposit Fund.

The year just closed, it may safely be affirmed, has been to the people of this State, a season of unparalleled prosperity and happiness. The earth has furnished almost every description of agricultural products in great profusion and perfection; these have found a ready market at liberal, and in many instances extraordinary prices; and in the prosperous condition of other avocations, trades and professions, is furnished another illustration of the truth of the theory which affirms that a wise regard to the interests of those who cultivate the earth, is the surest protection to the various interests of the people of the State.

For the liberal prices with which labor has been rewarded, we are not a little indebted to the condition of parts of the old world, and particularly of parts of Scotland and Ireland. Our generous and active sympathies for the sufferings of that country, so truthfully described by a distinguished statesman, as "poor, gallant, generous and oppressed Ireland," have been felt and acknowledged. Her situation is still painfully interesting, and may furnish new evidence of the alacrity with which a free people rush to the relief of the trodden down and oppressed. But the influence of these unhappy causes upon the value of our agricultural products, at the expense of so great suffering, is never to be desired. What we should most desire, in this regard, is a stable market. Our permanent interests cannot be promoted by temporarily large and extravagant prices; that condition of things is to be sought which will furnish the best security for a market subject to comparatively little fluctuations, and thus stimulate exertion by inspiring a reasonable confidence that labor is to receive fair remuneration.

The experience of the past, it is believed, furnishes very little reason to hope for or expect a steady demand for any considerable portion of our surplus productions in foreign countries. While therefore an extraordinary state of things abroad, dependent upon the seasons and other causes not within our control, and in respect to which, either in regard to time or extent, no safe prediction can be made, may create a temporary demand for such articles, the growth of our country, as may not so readily find customers here, it is quite apparent that a demand for consumption, at home, is the only safe reliance for the husbandman.

If to the stock of consumers in our villages and commercial cities, we could add the manufacturers of such fabrics, the labor of foreign hands, as we now consume, much would be done to establish a permanent and stable market at home, and to attain the end sought by that wise and far-seeing patriotism which looks to the protection of the manufacturer, not so much in respect to his interest, as to secure to the agriculturist a fair reward for his labor.

Assuming that all other occupations, trades and professions are dependent upon and derive their nutriment and support from the farmer, the principle sometimes maintained (though by comparatively few at the North,) that National legislation which extends protection nominally to the manufacturer, is partial in its application, and tends to build up one great interest at the expense of all others, will be found to be fallacious; for while it acts primarily upon the

manufacturer, its secondary and important influence is the support it gives to the tiller of the earth.

I have alluded to these considerations, not with a view to the discussion of a great question of national policy, but to invite your attention, in this, its proper connexion, to the importance of early, efficient and practical legislation in respect to manufacturing corporations.

Your immediate predecessors devoted much time to the consideration of questions connected with corporations of this character, and the House of Assembly, after much research and deliberation, and after consulting the statutes of several of the sister states, and becoming acquainted with their practical operation, framed a bill that received the assent of a large majority of that body.

Under the laws of no state have associations for the application of mechanical labor been more prosperous than in Massachusetts, and no where, it is believed, has private manufacturing been so generally and successfully prosecuted. The bill framed and adopted by the Assembly, embraced, substantially, the provisions of the laws of that state applicable to associations for manufacturing purposes. With a jealous regard for the interests of the laborer, the House of Assembly, to provide for him additional safeguards, inserted provisions in the bill requiring the "trustees and managers" to publish, annually, the amount of capital and of existing debts, and in default to be personally liable. The corporators were also rendered personally liable for making any false certificate or notice relating to be business or affairs of the company; or whenever the debts of the association should exceed the amount of its capital stock, and for making dividends when the company should be insolvent. The bill also provided that all of the corporators should be liable for all of the debts and contracts of the corporation until the whole of the capital stock is paid in; and that they should all be liable, permanently, to "agents, laborers and operatives, for services." The Senate entertaining opinions adverse to those of the Assembly, the bill was lost; and I respectfully invite your attention to the subject, with a full conviction that your sympathy with the laboring classes will admonish you of the importance of early and decisive action.

Before taking leave of this subject, it may not be inappropriate, and perhaps it is due to such of your predecessors as occupied seats in the Senate when the bill to which I have referred was lost, to recur to the language of the Constitution touching the liabilities of corporators. The "second" section of the "eighth" article of the Constitution is in the following words: "Dues from corporations shall be secured by such individual liability of the corporators, and other means, as may be prescribed by law." The effect of this provision not having been settled by the judiciary, its language is now, for the first time, to receive a legislative construction. All arbitrary rules of construction have given place to one simple rule, which requires us to give effect to the words in their ordinary signification, considered in connection with other parts of the instrument, and the history of the period when it was written. It will be conceded that the word "corporations," as used in this section of

the Constitution, is broad enough to embrace every description of corporations known to the laws of this State, among which may be enumerated railroad, municipal, manufacturing, charitable, religious, and banking corporations. I should be most reluctant to come to the conclusion that the members of municipal and religious corporations are hereafter to be made personally liable, but such will be the effect of one construction of the language we are considering.

For several years prior to, and at the time of the session of the Convention that framed the Constitution, the doctrine of "individual" or "personal liability" of corporators was a topic of much interest, and not a little variety of opinion; some insisting upon unlimited personal liability, others demanding its application only to the extent of the capital stock owned by the corporators respectively, whilst others insisted that it should attach only in cases of fraud or the failure to comply with certain statutory requirements, and others again denied the propriety of its application altogether.

When, therefore, the framers of the Constitution used the term "individual liability," they used language imperfect and indefinite, except in connection with other parts of the instrument, and words that would be applicable to "individual liability" in either of the forms I have mentioned. If, therefore, it "shall be prescribed by law" that corporators shall be individually liable in cases of fraud, this must be regarded as "individual liability" within the meaning of the Constitution, and a substantial compliance with its requirements. The whole expression "*such* individual liability" is still more significant, and strengthens, if possible, this construction.

The history of the period is important to be considered in another respect. The advocates of "individual liability" insisted that to banking corporations, "issuing bank notes, or any kind of paper credits to circulate as money," more than to all others, should the doctrine of "individual liability" attach. And yet the "SEVENTH" section of the same article of the Constitution provides, that in the last mentioned class of cases, it shall attach only to the amount of the share or shares of the corporators, respectively. If the second section of this article had provided for unlimited individual liability, it may well be asked, why has the seventh section created a special and limited liability for banks issuing their paper to circulate as money? Is it not absurd to suppose, that while the last mentioned corporators are required to assume only limited personal responsibility, the members of religious and all other corporations, are to be made liable, without limitation? In relation to banks, the language is explicit, and if it had been the intention of the Convention that, in all other cases, persons who should become members of a corporation should be made personally liable for all its "dues," we are bound to intend that ordinary language to convey its meaning would have been employed, and that instead of the "*second*" section of the "*eighth*" article, a provision would have been inserted, declaring in express terms, that the members of corporations should be individually liable for all demands against the corporation, excepting from its operation, such banking corporations as should issue their paper to circulate as money. While, therefore, the Legislature may im-

pose "such individual liability" as, in its judgment, the public interest may require, and while it must impose some, the kind and extent of liability, except as to banks, is believed to be a matter of legislative discretion.

The use of the word "secure," in the section referred to, is not believed to be in conflict with this construction. To secure, is to make safe or certain; but as no obligation to pay can be rendered certain beyond contingency, the adoption of any and every means to secure its performance implies the exercise of discretion by those whose duty or interest it may be to attain that object. By some, unlimited individual liability would be regarded as the best security, whilst others, believing that the effect of imposing such responsibility upon the members of corporations, would be to deter prudent men of business capacity and habits from becoming members thereof, and invite to such associations only irresponsible men without business habits or character, would consider the public much less secure.

In framing laws under which persons may be permitted to associate to carry on the business of manufacturing, our care should not be to provide for large dividends, upon the capital to be invested. We should look primarily to the encouragement of industry. But this object can only be attained under laws that will invite the investment of capital. I regard this subject as among the most important that will claim your attention at the present session, and I feel entire confidence that you will find it no difficult task to devise such laws—not incompatible with the requirements of the Constitution—as will secure the union of capital and labor, and reasonably protect the public against loss.

In your fostering care of labor, as well mechanical as agricultural, I feel assured no legislation will be neglected that in your judgment may tend to cultivate a due appreciation of its elevated character and enlarge the estimate of its respectability.

The fact that honorable distinction does not depend upon our occupation or profession, is better known and appreciated by those who have seen more years, than by young men just entering upon the active duties of life; and a false estimate of the character of manual labor induces an undue proportion of young men to engage in professional and mercantile pursuits.

In the discharge of the important duties that you have assumed as the representative of a great people, the inquiry whether the establishment of schools, in which agriculture and mechanics shall be scientifically and practically taught, will not tend to elevate the standard of labor, it is respectfully submitted, may properly occupy a high place in your deliberations.

I communicate herewith a statement in compliance with the requirements of the last clause of the "fifth" section of the "fourth" article of the Constitution, concerning "reprieves, commutations and pardons."

During the past year, five persons have suffered the extreme penalty of the law in this State, for the crime of murder. It will be seen by this statement, that two others who had been sentenced to

death for the same crime, have had their punishment commuted to that of imprisonment in the State prison for life.

It will also be seen that during the same period, of the convicts imprisoned in the several State prisons, pardons have been granted to one hundred and one; and that of the persons confined in the local prisons, under sentence, pardons have been granted to twenty-five.

The section of the Constitution to which I have referred, evidently contemplates that some provision will be made "by law relative to the manner of applying for pardon." The evidence by which these applications are sustained is almost entirely *ex parte*; but notice is now given to the district attorney of the county where the convictions were had, of the pendency of the applications respectively, and time given to him to resist in any form that he may think his duty requires.

I sought early to establish some general and well defined rules to govern the exercise of the pardoning power, but in this I have been entirely unsuccessful, and have been compelled to dispose of each case, in respect to the particular circumstances, as disclosed by the information furnished. It is therefore to be expected that this duty will, in some instances, be improvidently discharged, but this consequence seems to be incident to the power conferred, and I am unable to recommend any legislation which, in my judgment, will provide against occasional imposition and improvidence.

I think it may well be doubted whether our laws in respect to the length of the time that persons are imprisoned in the State prison, are not too severe under convictions for first offences. From the best information that I have been able to obtain from those who have had the care of persons confined for crimes, a much shorter term of punishment than that now prescribed by law, would furnish, in most instances, sufficient time for reflection and for forming resolutions of amendment; and he who is not reformed by a comparatively brief confinement, is not to be improved by that kind of punishment; and probably by no other. If he is longer kept in prison, the community may be protected to that extent, in so far as it deprives him of the opportunity to commit crime during that period; but it is believed that it does not tend to secure reformation. Where, however, persons have suffered for a reasonable time imprisonment in a State prison, and after being permitted to go at large, engage again in the commission of crime, reformation is rarely to be expected, and society can only be protected by perpetual imprisonment. This last is a general rule, and subject, like all others, to exceptions, and those exceptions are believed to be proper subjects for executive clemency.

The State prison at Clinton was established by a law of the first of May, 1844, and prior to the 30th of September last, there had been appropriated for its construction and support, at different times, one hundred and fifty-five thousand dollars, all of which had been expended, and there was on that day a balance against the State of eight hundred and one dollars and twenty cents.

On the 10th day of December last, there was appropriated the

further sum of twenty-five thousand dollars, making the aggregate of all of the appropriations on account of that prison,..... \$180,000 00

The whole amount that has been drawn from the Treasury is,..... 176,959 64

Leaving a balance in the Treasury of,..... \$3,040 36

Under an act of the 13th of May, 1846, there has been drawn from the Treasury by the Mount Pleasant State prison during the last year, the sum of,..... \$7,100 00

There was received by the prison during the year, from all other sources,..... 65,961 14

Making the whole amount received by the prison during the fiscal year ending 30th September, 1847,..... \$73,061 14

There was a balance due from the prison to the State on the 30th of September, 1846, of,..... 1,075 12

Which added to the last mentioned sum makes an aggregate of,..... \$74,136 26

The whole amount of expenditures for the year ending the 30th September, 1847, was,..... 73,303 59

Leaving a balance due the State of,..... \$832 67

There was due from the Auburn prison to the State, on the 30th of September, 1846, being an excess of revenue for the preceding year, over and above expenditures, the sum of,..... \$17,798 09

The receipts during the year ending 30th September last, from all sources, were,..... 53,054 89

Making an aggregate of,..... \$70,852 98

The expenditures for the same period were,..... 52,625 36

Leaving a balance due the State of,..... \$18,227 62

Under the act of 8th of May, 1846, the "House of Refuge for Juvenile Delinquents in Western New-York," has been located at the city of Rochester. A building has been erected and will be completed the ensuing spring. Early information will be laid before you showing the expenditures that have already been made, and the aid that will hereafter be required of the State.

For several successive years, the legislative power of the State has been invoked to enact laws touching the relation of landlord and tenant, under the leases in perpetuity, or for life or lives, or for a term of years not less than sixty, and such laws have been passed from time to time for the protection of persons and property, as have been demanded or suggested by that peculiar condition of things

that has not been inappropriately denominated "the Manor excitement."

It is believed that more than eighteen hundred thousand acres of land are still held in this State under these leases, containing annual reservations of rent, and in some instances of services and quarter sales, and that a population of more than two hundred and sixty thousand people reside upon lands thus held.

Many of the tenants, controverting the titles of their landlords, or denying the validity of the reservations in the leases, have, at short intervals, for several years refused to pay rent. Associations have been formed having for their object mutual protection against what they declared to be the unlawful demands of their landlords. Some of the tenants, yielding to the strong current of excitement, have resisted the execution of process by force; and while engaged in such unlawful resistance, high crimes have been committed, of which the judicial tribunals of the country have taken cognizance. As in all other cases of a similar character, the perpetrators of violence and crime were not the only sufferers. The public, not discriminating as to persons entertaining the same sentiments as to the legal rights of the tenants, have pronounced them all equally guilty, and hundreds of farmers who had committed no other crime than that of believing their landlords could not legally demand of them the payment of rents, were declared, by an indignant public, to be "robbers and assassins."

Although in the immediate vicinity of these acts of violence, persons have been found, who, while cheerfully lending their aid to enforce the execution of the laws, would not confound the guilty with the innocent, yet in parts of the State remote from these scenes of violence, and in other states, the true condition of things has been but imperfectly understood.

It is not my intention in this communication to consider this matter in detail, but now that harmony is entirely restored, and it is believed that there may be found among these farmers as many men who feel a deep interest in sustaining the laws as among the same number of citizens elsewhere, I feel impelled by a sense of duty which I will permit no consideration personal to myself to deter me from discharging, to ask you to consider carefully and without prejudice to their rights or the rights of the landlords, the condition of the people to whom I have referred.

The history of this tenantry is familiar to you, and it is the part of wisdom to judge of the future by the past. The principle which has been so often asserted, that these tenures are not in harmony with our institutions, exists no longer in mere speculation. It has received the sanction of the constitution of the State, and is now a part of its fundamental law. If the causes of irritation which have at intervals disturbed the peace of those parts of the State, where these lands are situated, are not removed or mitigated, is there not much reason to fear that the scenes of 1811 and 1813, and of 1839 and 1845, will again be re-enacted?

That policy which teaches reliance upon a resort to the rigor of the criminal law, to punish offences that a wise forecast would pre-

vent, or to enforce obedience to laws, which by judicious modification would enforce their own execution, I feel assured, will not receive your sanction. It is the first duty of government to enforce a strict observance of the laws, and to punish their infraction with unshaken firmness. If it should be found at any time that they are not adapted to the wants and interests of the people, for the government of whom they are made or provided, they should be amended or repealed; but so long as they remain the laws of the country, they are to be enforced, whatever their character, or however they may effect individuals or communities. But this is not the only obligation that rests upon government. While engaged in enforcing obedience to the laws, a high duty devolves upon it to seek out and remove any causes of discontent that may exist among its people. I will not suppose it possible, that in bringing this subject to your notice, I shall be regarded as giving countenance to legislation affecting, or that may assume to affect private rights or impair or weaken the obligation of contracts. The great object of the institution of government, is the protection of the rights of persons and property, and that government which fails to accomplish this object, is utterly worthless, and you do not need to be informed that enactments, which seek to disturb or divest private rights that have put on legal forms, are wholly inoperative.

It is believed that one of the fruitful sources of disquietude among these tenants, is the apprehension that the landlords have no title to the lands, and that, after paying rents and making improvements for a long series of years; they may, in virtue of a superior title to that under which they hold, be ejected from their possession. All persons who have had the care of large tracts of land, can testify to the facility with which reports unfavorable to the title can be put in circulation, and to the mischievous influence of such reports when unfounded.

This apprehension that the title to the lands, which we are considering, is invalid, has brought to the Legislature, from time to time applications for the passage of a law requiring the landlords, in actions to be brought by him against his tenants, to prove that he had a good paper title to the lands at the time the lease under which the tenant holds, was executed. In support of these applications, they have stated, and correctly, too, that by the law as it now exists, the tenancy itself, is evidence of the landlord's title, and that while in possession, they are not permitted to give evidence of its invalidity; and that if they abandon the lands, they have no title to assert in themselves except such as is derived from the defective title of their landlords, which they are seeking to defeat.

They also say, and with equal truth, that as the laws now are, their possession, and that of their ancestors, as tenants, in cases in which it has been continued for a sufficient number of years, enures as a title to their landlords as effective as against all claimants, other than the government, as the most perfect paper title; and they ask that the laws in this particular may be changed.

My opinions as to the propriety of such legislation were early formed, and fully expressed at a former period, when occupying a

responsible office—that of a representative of a highly intelligent constituency in the popular branch of the Legislature of this State. In the absence of laws governing the acquisition of property, there could be no titles, and he who acquires title to property in any of the ways known to the law at the time of its acquisition, is entitled to be protected in its enjoyment, and no action of the government can divest him of his interest, except the exercise of that extraordinary attribute of sovereignty, known as the “right of eminent domain,” by which private property is taken for public use. It therefore follows that he who has acquired title to land by having been in possession by himself or by those holding under him, as tenants, for such a term of years, as the laws of the country declare shall work a title, is just as much entitled to be protected in its enjoyment, as he who is enabled to trace his paper title to the common source. Legislation which can be subjected to the suspicion of assuming to weaken or impair, however slightly, the title to lands, cannot be too carefully avoided, and inasmuch as that which is sought by the tenants in this respect, is obnoxious to that charge, and would be wholly inoperative, I have not been able to bring myself to its support.

The object to be attained by the tenants is the ascertainment of the title of their landlords; and this you have ample power to effect without offending in the smallest particular against the laws that govern the rights of property, or against those equitable obligations which the State has so often recognized, in cases where it has had the legal title to lands, in which others are equitably interested.

In actions, to be brought by the State, involving the title to lands, the obstacles that are thrown in the way of private persons in its investigation, would not be encountered: and the adjudication would be entirely conclusive, and should, and it is believed, would, be entirely satisfactory to the tenants. If an action or actions of ejectment shall be brought by the State, in such case or cases as you may in your wisdom prescribe, and be fairly tried, the State will have discharged a duty which, in my judgment, it owes to the importance of the subject and to the interest as well of the landlords as of those holding under them in the character of tenants and purchasers. It is difficult to understand why the most sensitive holders of large tracts of land should feel any alarm at the prospect of such action, on the part of the government. The confirmation of their titles cannot fail to render essential service, in allaying irritation and disquietude, and hence increasing the value and productiveness of their lands; and I am quite sure it will not be supposed that the State will engage in such an enterprise for the purpose of enriching itself.

The general current of her action in regard to escheats, since the formation of the government, furnishes the surest guaranty of her justice and magnanimity; and if it shall be found that the legal title, to any of the lands for the recovery of which any such prosecution shall be instituted, shall be in the State, she will cheerfully release the same to such just claimants as may be equitably entitled to the lands. In such cases, the State, in divesting itself of the title, would possess the power, and it is not doubted, would exercise it,

to protect every equitable interest that should be found to attach to the lands.

I will only add in this connexion, that while I should regard every attempt, on the part of government, to embarrass or restrain private acquisitions, as an unwarrantable and despotic assumption of power, I cannot doubt that it is the duty of government, in disposing of its public domain, to confine the sales, in so far as is practicable, to small parcels and to actual settlers.

Under the new Constitution, I think it is now quite apparent that the Judiciary, with wise statutory enactments, will be eminently successful. Much has been done by your predecessors in providing for its organization, but under a new system, experience will suggest, from time to time, the necessity for further enactments.

The power to refer equity causes, has not yet been conferred, and references are now in effect submissions to arbitration, and there is no power in the court to correct errors, if any, in the reports made or to be made by such referees or arbitrators, and immediate legislation, to provide for this omission, seems to be demanded.

A proposition was submitted to the last Legislature to provide by law for standing referees, but I am inclined to think such legislation is in conflict with so much of the Constitution as abolishes masters and examiners in chancery.

In my message at the opening of the last session, I recommended such a practical division of labor among the Judges of the Supreme Court, as would designate one of the judges in each district to hold equity courts, leaving the common law duties to be discharged by the others, and I respectfully renew the recommendation. Out of the first district, the force, after detaching one judge, will, I think, be found amply sufficient for the discharge of the common law duties, and if we except that district, I cannot doubt that a single judge, by holding two equity courts in each county in this district annually, will hear and decide every cause in readiness.

A liberal system of voluntary exchanges by the judges of the several districts, is doubtless unobjectionable, but I have been unable from the beginning, to understand why each judge should be required to divide his time among the several districts, as required by the judiciary act of the 12th of May last. After hearing arguments, the judges must necessarily remain together for deliberation, and to prepare written opinions, and to judges residing remote from each other, this detention is matter of great inconvenience, and the effect of such inconvenience can scarcely, I apprehend, fail to render their deliberations hasty and unsatisfactory. Besides, the effective force of the court is diminished by the length of time occupied in travelling. A judge can much easier and much better discharge the duties of the place after he has become familiar with the habits of the people where his services are required, and with the class of questions that there arise. And you are respectfully requested, in your deliberations touching the judiciary, to consider as to the propriety of making amendments in conformity with these suggestions.

By a communication from the Secretary of War, under date of May 19, 1846, my predecessor was requested to cause to be enrolled and held in readiness, to be mustered into the service of the United States, seven regiments of infantry.

A requisition was subsequently received for one of said regiments to proceed to California, and in obedience thereto, the 7th regiment, under command of Colonel Jonathan D. Stevenson, sailed from the harbor of New-York in the month of September, 1846. From this regiment nothing official has been received since its departure.

In the month of November, 1846, the Secretary of War made a requisition for another regiment from this State, and the 1st regiment was mustered into the service of the United States, and sailed for Mexico in the month of January last, under the command of Colonel Ward B. Burnett.

By the report of the Adjutant-General, to be forthwith transmitted to you, you will be furnished with all the official information possessed by this department, in relation to the two regiments mentioned, and also to the military condition of the State.

The war with Mexico has imposed new and delicately interesting duties upon you. It may, and probably will, in its progress, claim further sacrifices from this State, and I rely with the utmost confidence upon your readiness, as the representatives of a gallant and patriotic people, to discharge, with alacrity, any duty that may be cast upon you.

In the Legislature of this State, in 1846, when the first intelligence was received that American blood had crimsoned the waters of the Rio Grande, upon a proposition to appropriate money for the enrolment of troops, in expressing what I then believed to be my duty as a member of that body, I said: "That our country is in a state of actual war with Mexico, none can doubt. The causes of that war are to me, now, unimportant. All here know that, from the first, I was opposed to the annexation of Texas; but that is now a matter foregone. Texas is now bone of our bone and flesh of our flesh, and they who invade any portion of that country, invade the United States; and I will as soon vote for the enrolment of troops to protect the soil of Texas as to protect the spot on which I now stand. Whether the conduct of the Government, in ordering our army to be marched into that country, has been such as it should be or not, is also a foregone conclusion. Our country has been invaded and the blood of our citizens has been shed, and I will sustain that country, and those citizens, against a foreign enemy, at all times, and under all circumstances, right or wrong." Although these impulsive suggestions were naturally consequent upon the receipt of intelligence that the blood of our people had been shed, such impulses, in matters of this description, may generally be trusted; and I said nothing which, upon mature consideration, I do not feel it my duty to reiterate.

I do not, however, mean to be understood as saying, nor can such an inference be fairly drawn from anything I have said, that it is unimportant, in a war with a foreign country, that the government should be right. It has every where been truly said, that war is

among the direst calamities that can befall a nation, particularly if its people have felt the subduing and refining influences of christianity and civilization, and can only be resorted to for just cause, and be justified by a high regard for the integrity and honor of the nation. National honor is not merely ethereal—the echo of high sounding words. It is intimately connected with our well-being, the power of self-preservation, and indeed our very existence as a nation.

The power to declare war is vested in the Congress of the United States, and when once engaged in war, either under a declaration by Congress, or into which we have been involuntarily plunged by the aggressions of a foreign government, the power to make peace rests with the President of the United States and the Senate; and that doctrine which teaches obedience to municipal laws, whatever their character, until they are modified or repealed, requires of us as citizens of the United States, and in our corporate capacity as one of the members of the confederacy, to come up to the help of the government against a "foreign enemy," however we may have been involved in the war, and whatever its causes or objects. Such is our condition now. We are in a state of war with Mexico, and in its progress the country has responded to the demands of patriotism with a spirit and zeal as pure and ardent as that which burned in the bosoms of those who fought the battles of the Revolution. Under officers whose names will live as long as the knowledge of letters by which their heroic deeds have been recorded, our armies have achieved a series of the most brilliant victories known to the history of ancient or modern times.

The country, always indisposed to war, would receive with joy, intelligence of an honorable peace. But to render a peace honorable, I think she would demand, and has a right to require, that it shall be accompanied with such indemnity as upon the page of history will be evidence of an acknowledgment by Mexico, of the superiority of our arms. But the character and extent of such indemnity, I may not speak in this communication.

With the return of peace, will come a season for calm deliberation and searching inquiry. The causes, the conduct and results of the war, may be then properly and usefully investigated. But until our enemy shall have been subdued, discussions involving collisions of opinion at home, cannot fail by exciting false expectations in Mexico, to embarrass negotiations for peace. I confidently trust, therefore, that such discussions will not be allowed to distract your deliberations. So long as there is an enemy in the field, I feel assured that we shall look only to the honor of our flag.

How far legislation by you may be demanded, resulting from the war with Mexico, I apprehend, cannot at this time be determined. Ohio, and I believe others of the states, have made appropriations to meet the expenses of soldiers incurred after enlistment and before being mustered into service, looking to the General Government for reimbursement. If there shall be a further requisition upon the State for troops, and provision shall not be made by the Federal Government to meet the expenses mentioned, I respectfully submit

that it will be your duty, as I doubt not it will be your pleasure, to make the necessary appropriation.

Before taking leave of this subject, I respectfully invite your attention to some fitting and proper legislation in regard to the remains of the brave men from this State who have fallen in Mexico. The New-York troops have been found in the thickest of the fight, and where the battle raged most fiercely, vying with each other in "deeds of noble daring" on every field, from Vera Cruz to the city of Mexico. It is one of the offices of Christian civilization to cultivate a kindly and delicate regard for the remains of deceased friends. Hence the emotions that are felt as we linger in silence among the resting places of the dead.

It has been suggested that legislation in this respect should be confined to the officers, inasmuch as it would be difficult, if not impossible, to identify the bodies of soldiers belonging to the troops from this State. I think, however, it will be found that in most cases they have been buried separate from other dead. If so, a small appropriation would effect this much to be desired and humane object.

The bodies of many of our officers of the higher grades have been brought home by their relatives, or by the kindness of friends, and I respectfully recommend that provision be made by the State for bringing back the remains of the residue of the soldiers and officers, that such of them may be delivered to their kindred and friends as may be ready to receive them, and that for the residue of the gallant dead, a common resting place may be provided, and if not too difficult to be obtained, in ground made classic by revolutionary scenes.

In conclusion, I have only to express the hope, that in the discharge of the duties to which I have referred, and all others pertaining to your representative character, you will be cheered by the smiles of Heaven, and enlightened by Divine wisdom.

JOHN YOUNG.

ALBANY, January 4, 1848.

On motion of Mr. Smith,

*Ordered*, That the said message be laid on the table, and that the usual number and three thousand five hundred extra copies thereof be printed.

On motion of Mr. Smith,

*Ordered*, That when the Senate adjourns, it will adjourn to meet daily at eleven o'clock. a. m. ; and that it will continue to meet daily at that hour until otherwise ordered.

On motion of Mr. Fuller,

*Ordered*, That the Clerk of the Senate furnish to the Lieutenant-Governor and each member of the Senate, such newspapers as they may respectively direct, not exceeding in amount two daily papers.

On motion of Mr. Smith,

*Ordered*, That the rules and orders of the Senate which were in force at the last session, be adopted as the rules and orders of the present session.

Mr. Fuller gave notice that he would, at some future day, ask

leave to introduce a bill in relation to the office of State Engineer and Surveyor.

On motion of Mr. Bush,

The Senate then adjourned until eleven o'clock to-morrow morning.

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WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 5, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

John W. Tamblin, Senator from district number twenty-one, appeared in the Senate Chamber, and took and subscribed the constitutional oath of office.

The Journal of yesterday was read and approved.

Mr. Cornwell presented the petition of citizens of Weedsport, praying for the appointment of guardians or supervisors to see to the interests of and make contracts for boys engaged as drivers, etc., on the canals of this State; which was read, and referred to the committee on canals when appointed.

Mr. Boker presented the petition of Jacob and Leah Morris of Kings county, for the renewal of a certain act in relation to real estate, which was referred to the committee on the judiciary when appointed.

Mr. Ayrault presented the petition of citizens of Livingston county, to restore the office of crier for the courts of said county; which was referred to the committee on the judiciary when appointed.

Mr. Cornwell gave notice that he would, at an early day, ask leave to introduce a bill for the incorporation of manufacturing associations.

Mr. Boker gave notice that he would, at an early day, ask leave to introduce a bill for the incorporation of insurance companies.

Mr. S. H. P. Hall gave notice that he would, at an early day, ask leave to introduce a bill to provide for filling vacancies in office.

Mr. Cole gave notice that he would, at an early day, ask leave to introduce a bill in relation to suits at law in the county of Orleans.

Mr. Cole also gave notice that he would, at an early day, ask leave to introduce a bill to provide for the appointment of notaries public.

Mr. Smith gave notice that he would, at an early day, ask leave to introduce a bill in relation to the fees and compensation of county clerks.

Mr. Cornwell offered for the consideration of the Senate the following concurrent resolution, which was read, and laid on the table :

*Resolved*, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses.

Mr. Fine offered for the consideration of the Senate the following concurrent resolution, which was read, and laid on the table.

*Resolved*, (if the Assembly concur,) That the Constitution of the United States has vested in Congress the entire and exclusive legislative power over foreign commerce ; and as there cannot be an extensive commercial intercourse with other nations without safe and convenient harbors, it is the duty of Congress to make judicious appropriations for the improvement of the harbors on the Lake frontier, as on the Atlantic and Pacific seacoast.

*Resolved*, That the Governor be requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

A motion to print the usual number of copies of the said resolution, was referred to the committee on public printing when appointed.

Mr. S. H. P. Hall offered for the consideration of the Senate the following concurrent resolutions, which were read and laid on the table :

*Resolved*, (if the Assembly concur,) That as war now exists between the United States and Mexico, it is the imperative duty of every citizen of this country to sustain its government in all proper measures for the prosecution of the war, in such a manner as our national honor and interests demand, until it shall be terminated by an honorable peace.

*Resolved*, (if the Assembly concur,) That in the acquisition of new territory by the United States, by purchase or otherwise, it is clearly within the constitutional power of Congress to impose any reconditions or restrictions in relation to the terms upon which such additional territory shall be admitted into the Union ; and the organization and admission of new slave States, without the assent of the free States, (original members of the confederacy,) would be a violation of their rights.

*Resolved*, (if the Assembly concur,) That if any such territory shall hereafter be acquired or annexed, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision whereby slavery or involuntary servitude, except as a punishment for crime, shall be forever excluded from the territory acquired or annexed.

*Resolved*, That the Senators in Congress from this State be instructed, and that the Representatives in Congress from this State be requested to use their best efforts to carry into effect the views expressed in the foregoing resolutions.

*Resolved*, (if the Assembly concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolutions to each of the said Senators and Representatives.

A motion to print the usual number of copies of the said resolutions was referred to the committee on public printing, when appointed.

Then the Senate adjourned until eleven o'clock to-morrow morning.

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THURSDAY, 11 O'CLOCK, A. M., JANUARY 6, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Treadwell presented the petition for the incorporation of a company to construct a railroad from the city of Albany to Cohoes; which was referred to the committee on railroads when appointed.

Mr. Bush presented the petition of Patrick Walsh of the city of Buffalo, for the passage of a law to enable him to convey real estate; which was read, and referred to the committee on the judiciary when appointed.

Mr. Bush also presented the petition of Jonas Ingraham, praying for relief on account of damages sustained by breach of contract on the part of the State on section number three of the Erie canal enlargement at Black Rock; and also praying for compensation for materials and property taken by the canal officers and appropriated to the use of the State; which was referred to the committee on canals when appointed.

Mr. Bokee presented the petition of the Brooklyn Gas Light Company, praying for an amendment of their charter; which was referred to the committee on manufactures when appointed.

Mr. S. H. P. Hall presented the petition for the relief of Lyman B. Smith and others, trustees of school district number fourteen in the town of Union, which was referred to the committee on literature, when appointed.

Mr. Fuller presented the petition of John Swift, praying for canal damages; which was referred to the committee on canals when appointed.

Mr. Clark presented the petition for the appointment of supervisors for guardians of canal boys, which was referred to the committee on canals when appointed.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the holding of a special term of the recorder's court of the city of Buffalo; which was read the first time, and by

unanimous consent was also read the second time, and committed to a committee of the whole.

The President presented the annual report of the Bank of America of unclaimed dividends and deposits; which was laid on the table.

In pursuance of previous notice, Mr. Fuller asked for and obtained leave to bring in a bill, entitled "An act in relation to the office of State Engineer and Surveyor;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals when appointed.

In pursuance of previous notice, Mr. Cole asked for and obtained leave to bring in a bill, entitled "An act in relation to suits at law and in equity, arising in the county of Orleans;" which was read the first time, and by unanimous consent was also read the second time; and committed to a committee of the whole.

Mr. Bokee gave notice that he would, at an early day, ask leave to introduce a bill to authorise the mayor and common council of the city of Brooklyn to raise money for certain purposes.

In pursuance of previous notice, Mr. Cornwell asked for and obtained leave to bring in a bill, entitled "An act to authorise the formation of corporations for manufacturing, mining, mechanical and chemical operations;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures when appointed.

In pursuance of previous notice, Mr. S. H. P. Hall asked for and obtained leave to bring in a bill, entitled "An act to provide for the filling of vacancies in the office of sheriff and other offices;" which was read the first time, and by unanimous consent was also read the second time and referred to a select committee, consisting of Mr. S. H. P. Hall, Mr. Cornwell, and Mr. Smith, to consider and report complete.

In pursuance of previous notice, Mr. Smith asked for and obtained leave to bring in a bill, entitled "An act in relation to the fees and compensation of county clerks;" which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on the judiciary when appointed.

In pursuance of previous notice, and by unanimous consent, Mr. Bokee asked for and obtained leave to bring in a bill, entitled "An act to authorise the mayor and common council of the city of Brooklyn to create a loan for the purpose of paying certain claims against said city; and also to raise money by tax to pay the expense of making profiles of streets;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages when appointed.

Mr. Treadwell gave notice that he would, at an early day, ask leave to introduce a bill to incorporate a gas company in the city of Buffalo.

Mr. Smith gave notice that he would, at an early day, ask leave to introduce a bill regulating the time of payment of salaries to clerks employed in the office of the Clerk of the Court of Appeals.

Mr. S. H. P. Hall offered for the consideration of the Senate, the following resolution, which was read, and laid on the table.

*Resolved*, That the committee on the judiciary inquire what further legislation is required for the security of the Chancery fund, transferred to the Clerk of the Court of Appeals by the judiciary act of May 12, 1847, and that they report by bill or otherwise.

Mr. Lawrence offered for the consideration of the Senate, the following concurrent resolution ; which was read, and laid on the table :

*Resolved*, (if the Assembly concur,) That the joint library committee, to be appointed under the resolution of April 21, 1840, shall consist of three members of the Senate and five members of the Assembly.

Mr. Bokee offered for the consideration of the Senate the following concurrent resolutions, which were read and laid on the table :

*Resolved*, (if the Assembly concur,) That the primary cause of the present unhappy war existing between the United States of America and the Republic of Mexico, was the annexation of Texas to the former, and the immediate occasion of hostilities between the two republics arose out of the order of the President of the United States for the removal of the army under the command of General Taylor, from its position at Corpus Christi to a point opposite Matamoras on the east bank of the Rio Bravo, within the territory claimed by both Republics, but then under jurisdiction of Mexico, and inhabited by its citizens ; that the order of the President for the removal of the army to that point was improvident and unconstitutional, it being without the concurrence of Congress, or even consultation with it, although it was in session ; but that Congress having by its subsequent acts recognised the war thus brought into existence without its previous authority or consent, the prosecution of it became thereby national.

*Resolved*, (if the Assembly concur,) That in the absence of any formal and public declaration by Congress of the objects for which the war ought to be prosecuted, the President of the United States as Chief Magistrate, as Commander-in-chief of the Army and Navy of the United States, is left to the guidance of his own judgment to prosecute it for such purposes and objects as he may deem the honor and interest of the nation to require.

*Resolved*, (if the Assembly concur,) That by the Constitution of the United States, Congress, being invested with power to declare war and grant letters of marque and reprisal, to make rules concerning captures by land and water, to raise and support armies, to provide and maintain a navy, and to make rules for the government of the land and naval forces, has the fullest and most complete war-making power of the people of the United States ; and, so possessing it, has a right to determine upon the motives, causes and objects of a war, when once commenced, or at any time during the progress of its existence.

*Resolved*, (if the Assembly concur,) That it is the duty of Congress to declare by some authentic act, for what purpose and object the existing war ought to be farther prosecuted ; that it is the duty of the President, in his official capacity, to conform to such a declaration of Congress ; and if after such declaration, the President should decline or refuse to endeavor, by all the means, civil, diplo-

matic and military, in his power, to execute the announced will of Congress, and, in defiance of its authority, should continue to prosecute the war for purposes and objects other than those declared by that body, it would become the right and duty of Congress to adopt the most efficacious measures to arrest the further progress of the war, taking care to make ample provisions for the honor, the safety and security of our armies in Mexico in every contingency; and if Mexico should decline or refuse to conclude a treaty with us, stipulating for the purposes and objects so declared by Congress, it would be the duty of the Government to prosecute the war with the utmost vigor, until they were attained by a treaty of peace.

*Resolved*, (if the Assembly concur,) That we view with serious alarm, and are utterly opposed to, any purpose like the annexation of Mexico to the United States in any mode, and especially by conquest; that we believe the two nations could not be happily governed by one common authority, owing to their great difference of race, law, language and religion, and the vast extent of their respective territories and large amount of their respective populations; that such a union, against the consent of the exasperated Mexican people, could only be effected and preserved by large standing armies, the constant application of military force—in other words, by despotic sway exercised over the Mexican people in the first instance, but which, there would be just cause to apprehend, might in process of time be extended over the people of the United States; that we deprecate such a union as wholly incompatible with the genius of our government, and with the character of our free and liberal institutions; and we anxiously hope that each nation may be left in the undisturbed possession of its own laws, language, cherished religion and territory, to pursue its own happiness according to what it may deem best for itself.

*Resolved*, (if the Assembly concur,) That considering the series of splendid and brilliant victories achieved by our brave armies and their gallant commanders during the war with Mexico, unattended by a single reverse, the United States, without any danger of their honor suffering the slightest tarnish, can practise the virtue of moderation and magnanimity toward their discomfited foes; and say, we have no desire for the dismemberment of the Republic of Mexico, but wish only a just and proper adjustment of the limits of Texas.

*Resolved*, (if the Assembly concur,) That we do positively and emphatically disclaim and disavow any wish or desire on our part to acquire any foreign territory whatever for the purpose of propagating slavery, or of introducing slavery from the United States into any such foreign territory.

motion to print the usual number of copies of said resolutions was referred to the committee on public printing, when appointed.

On motion of Mr. Coffin,

*Ordered*, That the annual message of the Governor be taken from the table, and committed to a committee of the whole.

Mr. Cornwell moved a reconsideration of the vote of the Senate taken on the fourth instant, upon a resolution offered by Mr. Fine, in relation to seats of Senators; which motion was laid on the table.

The Senate then spent some time in committee of the whole upon the bill from the Assembly, entitled "An act to authorise the holding of a special term of the recorder's court of the city of Buffalo;" and Mr. Cornwell, from the said committee, reported that they had agreed to the same; which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

On motion of Mr. Bush, and by unanimous consent,

The said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follow :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
		80

*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon the bill, entitled "An act in relation to suits at law and in equity arising in the county of Orleans;" and Mr. Smith, from the said committee, reported progress, and obtained leave to sit again.

Then the Senate adjourned until eleven o'clock to morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 7, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The journal of yesterday was read and approved.

The President announced the standing committees of the Senate.

Thereupon,

*Ordered*, That Mr. Cook, Mr. Floyd and Mr. Williams, be a committee on claims.

*Ordered*, That Mr. Lawrence, Mt. Ayrault and Mr. Adams, be a committee on finance.

*Ordered*, That Mr. Wilkin, Mr. Fine and Mr. Cole, be a committee on the judiciary.

*Ordered*, That Mr. Hall, Mr. Cook and Mr. Whallon, be a committee on the militia.

*Ordered*, That Mr. Fuller, Mr. Smith and Mr. Martin, be a committee on canals.

*Ordered*, That Mr. Cornwell, Mr. Johnson and Mr. Fine, be a committee on railroads.

*Ordered*, That Mr. Geddes, Mr. Smith and Mr. Treadwell, be a committee on roads and bridges.

*Ordered*, That Mr. Bond, Mr. Hawley and Mr. Bush, be a committee on literature.

*Ordered*, That Mr. Samuel H. P. Hall, Mr. Betts and Mr. Little, be a committee on state prisons.

*Ordered*, That Mr. Ayrault, Mr. Tamblin and Mr. Bokee, be a committee on banks and insurance companies.

*Ordered*, That Mr. Williams, Mr. Whallon and Mr. Fox, be a committee on the division of towns and counties.

*Ordered*, That Mr. Bush, Mr. Johnson and Mr. Ayrault be a committee on agriculture.

*Ordered*, That Mr. Burch, Mr. Betts and Mr. Frost, be a committee on commerce and navigation.

*Ordered*, That Mr. Clark, Mr. Hawley and Mr. Coffin, be a committee on manufactures.

*Ordered*, That Mr. Fox, Mr. Brownson and Mr. Fuller be a committee on medical societies and medical colleges.

*Ordered*, That Mr. Bush, Mr. Adams and Mr. Wilkin, be a committee on privileges and elections.

*Ordered*, That Mr. Samuel H. P. Hall, Mr. Floyd and Mr. Burch, be a committee on engrossed bills.

*Ordered*, That Mr. Johnson, Mr. Geddes and Mr. Brownson, be a committee on Indian affairs.

*Ordered*, That Mr. Cole, Mr. Burch and Mr. Coffin, be a committee on expiring laws.

*Ordered*, That Mr. Frost, Mr. Betts and Mr. Fox be a committee on public expenditures.

*Ordered*, That Mr. Bokee, Mr. Samuel H. P. Hall and Mr. Bond, be a committee on the incorporation of cities and villages.

*Ordered*, That Mr. Treadwell, Mr. Cook and Mr. Whallon, be a committee on public buildings.

*Ordered*, That Mr. Coffin, Mr. Smith and Mr. Cornwell, be a committee on poor laws.

*Ordered*, That Mr. Little, Mr. Williams and Mr. Frost, be a committee on charitable and religious societies.

*Ordered*, That Mr. Martin, Mr. Adams and Mr. Clark be a committee on retrenchment.

*Ordered*, That M. Floyd, Mr. Lawrence and Mr. Cole, be a committee on grievances.

*Ordered*, That Mr. Brownson, Mr. Tamblin and Mr. William Hall be a committee on public printing.

Mr. Martin presented the petition of the board of supervisors of the county of Cattaraugus, for an amendment of the laws in relation to the Indian tribes; which was referred to the committee on Indian affairs.

Mr. Lawrence presented the petition of Myer S. Myers, for a repeal of an act for the benefit and relief of Francis Englishbee, passed May 9, 1846, and the act amending the same, passed November 19, 1847; which was referred to the committee on the judiciary.

Mr. Bokee presented the petition of the Orphan Asylum Society of the city of Brooklyn, for a share in the common school fund; which was referred to the committee on literature.

Mr. Cole presented the petition of members of the bar of the county of Orleans, praying for a law authorising suits arising in the county of Orleans to be heard in the county of Erie; which was referred to the committee of the whole when upon the bill on that subject.

Mr. Cornwell presented the affidavit of David H. Hamilton, relative to damages done by leakage from canal upon lands of Eli and Peter Hamilton; which was referred to the committee on canals.

Mr. Ayrault presented the petition of citizens of Livingston county to restore the office of crier of the courts of said county; which was referred to a select committee, consisting of Mr. Ayrault, Mr. S. H. P. Hall, and Mr. Fine.

On motion of Mr. Ayrault, and by unanimous consent,

*Ordered*, That the committee on the judiciary be discharged from the further consideration of a similar petition, presented on the fifth instant, and that the same be referred to the same select committee.

Mr. S. H. P. Hall, from the select committee, reported complete the bill entitled "An act to provide for the filling of vacancies in the office of sheriff and other offices;" which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

Mr. Fine gave notice that he would, at an early day, ask leave to introduce a bill for the more effectual protection of the property of married women.

In pursuance of previous notice, Mr. Smith asked for and obtained leave to bring in a bill, entitled "An act regulating the time of payment of salaries to clerks employed in the office of the Clerk of the Court of Appeals;" which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on the judiciary.

Mr. Bokee gave notice that he would at an early day, ask leave to introduce a bill in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn.

Mr. Geddes gave notice that he would, at an early day, ask leave to introduce a bill to amend the act, passed May 12, 1847, in relation to the judiciary.

Mr. S. H. P. Hall moved that the Senate proceed to the consideration of the concurrent resolutions offered by him, as read in the

journal of the fifth instant, in relation to the extension of slavery in new territory, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Clark	Mr. Floyd	Mr. Smith	
Mr. Fine	Mr. S. H. P. Hall	Mr. Tamblin	6

FOR THE NEGATIVE

Mr. Adams	Mr. Coffin	Mr. Johnson	
Mr. Ayrault	Mr. Cole	Mr. Lawrence	
Mr. Betts	Mr. Cornwell	Mr. Little	
Mr. Bokee	Mr. Fox	Mr. Martin	
Mr. Bond	Mr. Frost	Mr. Treadwell	
Mr. Brownson	Mr. Fuller	Mr. Wilkin	
Mr. Burch	Mr. Geddes	Mr. Williams	
Mr. Bush	Mr. Hawley		23

On motion of Mr. Cornwell,

The Senate then proceeded to the consideration of the following concurrent resolution, heretofore offered by him :

*Resolved*, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses.

The President put the question upon agreeing to the said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver a copy thereof to the Assembly, and request their concurrence therein.

On motion of Mr. Lawrence,

The Senate then proceeded to the consideration of the following concurrent resolution, heretofore offered by him:

*Resolved*, (if the Assembly concur,) That the joint library committee, to be appointed under the resolution of April 21, 1840, shall consist of three members of the Senate and five members of the Assembly.

The President put the question upon agreeing to the said resolution, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver a copy thereof to the Assembly, and request their concurrence therein.

On motion of Mr. Cornwell,

*Resolved*, That a committee of three members of the Senate be appointed to inquire and report whether it is expedient to make any and what alterations or amendments of the rules and orders of the Senate.

*Ordered*, That Mr. Cornwell, Mr. Smith and Mr. Bush, be the said committee.

Mr. Little offered for the consideration of the Senate the following concurrent resolution, which was read, and laid on the table :

*Resolved*, That the petition of George Clark, for a repeal of the law to equalise taxation, together with the accompanying documents,

presented at the last session of the Senate, be taken from the files, and referred to the committee on finance.

On motion of Mr. Wilkin,

*Resolved*, That the Clerk furnish to the members and officers of the Senate, each, a copy of the Debates in the late Constitutional Convention, and that the expense thereof be paid out of the contingent fund of the Senate.

On motion of Mr. Cornwell,

*Resolved*, That the Clerk of the Senate furnish to each of the members, officers and reporters of the Senate, a penknife of the usual quality, and that the expense thereof be paid out of the contingent fund of the Senate.

On motion of Mr. Coffin,

*Ordered*, That the concurrent resolutions offered by Mr. Bokee, as read in the journal of yesterday, concerning the war with Mexico be taken from the table, and referred to the same committee of the whole, to which the annual message of the Governor has been referred.

Mr. Wilkin moved to refer the concurrent resolutions heretofore offered by Mr. Hall, as read in the journal of the fifth instant, in relation to the extension of slavery in new territory, to the same committee, which motion was decided in the negative.

On motion of Mr. Martin,

*Ordered*, That the petition of the board of supervisors of the county of Cattaraugus, praying to be released from the payment of certain moneys advanced to George W. White, late sheriff of said county, with the papers relating thereto, be taken from the files of the Senate, and referred to the committee on claims.

On motion of Mr. Bush,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petition and papers of Warren Granger and others in relation to draining certain lands in Black-Rock,

*Ordered*, That the Clerk deliver a copy of the said resolution to the Assembly.

Mr. Hawley gave notice that he would, at an early day, ask leave to introduce a bill to amend the Revised Statutes relative to obtaining possession of land by summary proceedings; also a bill relative to the duties of assessors in taking assessments and making and correcting assessment rolls.

On motion of Mr. Fuller, and by unanimous consent,

*Ordered*, That the usual number of copies of the bill, entitled "An act in relation to the office of State Engineer and Surveyor," be printed.

(See Senate Bill No. 1.)

On motion of Mr. Cornwell,

*Resolved*, That a respectful message be transmitted to the Assembly, with a request that they transmit to the Senate the petition and other papers on file in that House, in relation to the claim of Eli

Hamilton and Peter Hamilton, for canal damages; also the petition and other papers in relation to the claim of Benjamin Barney for canal damages.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Assembly.

The Senate then spent some time in committee of the whole upon the annual message of the Governor, and the resolutions offered by Mr. Bokee, concerning the war with Mexico; and Mr. Bush, from the said committee, reported progress, and obtained leave to sit again.

The Senate then adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 8, 1846.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkins.

The journal of yesterday was read and approved.

Mr. Bokee presented the petition of P. B. Pope of Kings county for a law allowing the sale of certain real estate, which was referred to the committee on the judiciary.

Mr. Johnson presented the memorial of Eliza Juliana Matthews and Mary H. Jenkins, to effectuate letters patent heretofore issued to Mary Englishbee; which was referred to the committee on the judiciary.

Mr. S. H. P. Hall reported as correctly engrossed, the bill entitled "An act to provide for the filling of vacancies in the office of sheriff and other offices."

Mr. Brownson, from the committee on public printing, reported in favor of printing the usual number of copies of the resolution offered by Mr. Fine, in relation to appropriations for the improvement of the harbors on the lake frontier; which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the usual number of copies of said resolution be printed.

(See Senate Doc. No. 4.)

Mr. Brownson from the same committee, reported in favor of printing the usual number of copies of the resolutions offered by Mr. S. H. P. Hall, in relation to the extension of slavery in new territory, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the usual number of copies of the said resolutions be printed.

(*See Senate Doc. No. 5.*)

Mr. Brownson from the same committee, reported in favor of printing the usual number of copies of the resolutions offered by Mr. Bokee, in relation to the war with Mexico, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the usual number of copies of the said resolutions be printed.

(*See Senate Doc. No. 3.*)

Mr. Cornwell, from the select committee appointed to inquire and report whether it is expedient to make any and what alterations or amendments of the rules and orders of the Senate, reported in favor of amending the 32d and 35th rules, so as the said rules and orders of the Senate shall read as follows :

#### RULES AND ORDERS OF THE SENATE.

1. The President having taken the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake therein may be corrected.

2. After the reading and approving of the journal, the order of business shall be as follows :

1. The presentation of petitions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Communications and reports from State officers.
7. Notices and the introduction of bills.
8. Motions and resolutions.
9. Third reading of bills.
10. Special orders.

11. General orders, but messages from the Governor and Assembly, and communications and reports from State officers, may be considered at any time.

3. The clerk shall make a list of all bills and of resolutions proposing amendments to the Constitution, and of all other matters which shall be committed to a committee of the whole, in which they shall be arranged in the order in which they were introduced ; which list shall be called the *General Orders of the Day*. And all such matters shall be taken up and acted upon in the several orders of business in which they may be, in order in which they stand upon the General Orders, unless the Senate shall otherwise order.

4. Whenever any bill or other matter is made the special order for

a particular day, and it shall not be completed on that day, it shall retain its place in the general orders of the day, unless it shall be made the special order for another day. It shall not be in order to make any bill, or other matter, a special order of the day, from day to day; nor shall more than two bills, or other matters, be made the special order for the same day.

5. All questions relating to the priority of business, shall be decided without debate.

6. When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate.

7. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspapers, while the journals or public papers are reading; and when the President is putting a question, no Senator shall walk out of or across the House, nor when a Senator is speaking, pass between him and the chair.

8. The President shall have the right to name any member to perform the duties of the chair, who is hereby vested, during such time, with all the powers of the president; but such substitute shall not lose the right of voting on any question while so presiding, nor shall his power as such substitute continue for a longer time than one day, without leave of the Senate.

9. Every member, when he speaks, shall address the chair, standing in his place. No member shall speak more than twice in any one debate on the same day without leave of the Senate.

10. When two or more members rise at once, the President shall name the member who is first to speak.

11. No motion shall be debated until the same be seconded; and it shall be reduced to writing, if desired by the President or any member, delivered in at the table, and read by the President or clerk, before the same shall be debated; but it may be withdrawn at any time before decision or amendment.

12. While a question is before the Senate, no motion shall be received, unless to lay on the table, for an amendment, for postponing it, to commit it, or to adjourn; and a motion for adjournment shall always be in order, and shall be decided without debate.

13. If the question in debate contain several points, any member may have the same divided.

14. A motion for commitment, until it is decided, shall preclude all amendments of the main proposition.

15. Every bill shall be introduced by motion for leave, or by order of the Senate on the report of a committee; and one day's notice at least shall be given of an intended motion for leave to bring in a bill, unless the Senate unanimously order otherwise. Such notice shall state generally the subject matter of such bill.

16. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third; which reading shall be on three different days, unless the Senate unanimously direct otherwise. No bill shall be amended or committed until it shall have been twice read; and all resolutions which propose any amendment to the Constitution, shall

be treated in the form of proceedings on them, in a similar manner with bills, except that it shall not be necessary to commit such resolutions to a committee of the whole.

17. Upon a division in the Senate, the names of those who voted for or against a question, shall be entered alphabetically on the minutes, if two members require it; and each member called upon, unless for special reasons he be excused by the Senate, shall declare openly and without debate, his assent or dissent to the question.

18. All committees of the Senate, and all joint committees on the part thereof, for the present session, shall be appointed by the President.

19. In forming a committee of the whole Senate, a chairman to be named by the President, shall preside. Bills committed to a committee of the whole Senate, shall in committee of the whole, be read by sections. All amendments shall be noted, and reported to the Senate by the chairman. After the report, the bill shall still be subject to debate and amendment before the question to engross is put; but such amendments only shall be in order as were offered and decided in the committee of the whole Senate, except by unanimous consent.

20. The rules of the Senate shall be observed in the committee of the whole so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken. Such committee may strike out the enacting clause of a bill, and report that fact to the Senate: and if the report be agreed to by the Senate, it shall be deemed a rejection of the bill.

21. A motion that the committee rise, shall always be in order, and shall be decided without debate.

22. After a bill or a resolution to amend the Constitution shall be ordered to a third reading, no motion to amend the same shall be in order, without unanimous consent; nor, in respect to a bill, shall such motion be in order, unless before it has had its third reading; but every bill not committed to a committee of the whole, shall be read through before it shall be ordered to a third reading.

23. When a member shall be called to order, he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any two members; and if a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

24. When a blank is to be filled, and different sums or times shall be proposed, the question shall be first taken on the highest sum and the longest time.

25. No member shall absent himself from the service of the Senate, without leave first obtained; and in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the sergeant-at-arms, or any other person, for any or all absent members, as the majority of such members shall agree.

26. Before any petition or memorial addressed to the Senate shall be received or read, a brief statement of the contents thereof shall

be endorsed on the same, with the name of the member introducing it.

27. When a question has been once put and decided, it shall be in order for any member to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion upon which the vote was taken, shall have gone out of the possession of the Senate, nor after the usual message shall have been sent from the Senate, announcing its decision; nor shall any motion for reconsideration be in order, unless made on the same day in which the vote was taken, or within the three next days of the actual session of the Senate thereafter; nor shall any question be re-considered more than once; and the vote on the final passage of any bill appropriating the public moneys or property, or creating, continuing, altering or renewing any body politic or corporate shall not be re-considered, whenever such bill shall be lost.

28. The following standing committees shall be appointed :

1. On claims.
2. On finance.
3. On the judiciary.
4. On the militia.
5. On canals.
6. On railroads.
7. On roads and bridges.
8. On literature.
9. On State prisons.
10. On banks and insurance companies.
11. On the division of counties and towns.
12. On agriculture.
13. On commerce and navigation.
14. On manufactures.
15. On medical societies and medical colleges.
16. On privileges and elections.
17. On engrossed bills.
18. On Indian affairs.
19. On expiring laws.
20. On public expenditures.
21. On the incorporation of cities and villages.
22. On public buildings.
23. On the poor laws.
24. On charitable and religious societies.
25. On retrenchment.
26. On grievances.
27. On public printing—And every motion to print any petition, resolution, report, bill, message, or other manuscript, be referred to said committee. Such committee may report adversely to the printing; or they may report the number of copies which in their opinion ought to be printed; or they may recommend a part only of such papers to be printed; but no more than 1000 extra copies of any message from the Governor, nor more than 300 extra copies of any other docu-

ment, shall be ordered to be printed, unless by a majority of all the Senators elected.

29. When an amendment to the Constitution, or any bill requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be requisite to decide any question for amendments, or extending to the merits, being short of the final question.

30. On a motion made and seconded to shut the doors of the Senate, on the discussion of any business which may, in the opinion of any member, require secrecy, the President shall direct all persons, except the members and clerk of the Senate, to withdraw; and during the discussion of said motion, the doors shall remain shut; and every member and officer of the Senate shall keep secret all such matters, proceedings and things, whereof secrecy shall be enjoined by order of the Senate.

31. The proceedings of the Senate upon executive business, shall be kept in a journal separate from its proceedings upon legislative business.

32. The Senate shall go into the consideration of executive business on such days as may from time to time be deemed necessary. All nominations for the appointment of any officer shall be referred to a committee consisting of the senators from the judicial district within which the nominee may reside; and a future day for the consideration of all nominations, shall be assigned, and the consent of the Senate to the appointment of any officer shall not be transmitted in less than one week thereafter, without the unanimous consent of the Senate; and while any nomination remains with the Senate, it shall be in order to reconsider any vote taken thereon.

33. All information and remarks in secret session, by any Senator, concerning the character or qualifications of any person nominated to office by the Governor, shall be kept secret.

34. When a bill, originated in the Assembly, shall have been lost there, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the Senate during the same session, unless by unanimous consent.

35. No person is to be admitted within the bar of the Senate, except the Governor, the present and former Chancellors and Judges of the Court of Appeals and Supreme Court, present and former members of Congress and of the Legislature of this State, the Comptroller, the Treasurer, the Secretary, the Attorney-General, the State Engineer and Surveyor, the Governor's Private and Military Secretary, the Adjutant Generals, the officers of the Senate and Assembly, and such reporters as the President shall appoint.

36. None but members shall be allowed to take any books or stationery belonging to the Senate, from their chamber; and on taking books, the members shall furnish to the clerk a list of those taken, and his name, and shall be responsible for them; and the clerk shall take care that once in each week the books provided for the use of the Senate shall be placed in order, according to some fixed arrangement; and he shall make report to the president of such books as are missing.

37. The committee on engrossed bills shall examine all bills, amendments and resolutions, before they go out of possession of the Senate, and make report when they find them correctly engrossed; reports from the committee on engrossed bills shall at all times be in order. And the clerk of the Senate shall present such bills as shall have originated in the Senate and been passed by both houses, to the Governor, and enter the same upon the journals.

38. All concurrent resolutions shall lie one day on the table.

39. When a resolution shall be offered, or a motion made, to refer any subject, and a different committed shall be proposed, the question shall be taken in the following order, viz :

1. The committee of the whole Senate.
2. A standing committee.
3. A select committee.

40. When a bill shall be reported by a committee of the whole, and not laid on the table or postponed, or by any other committee, and not committed to a committee of the whole, laid on the table or postponed, or shall be twice read, and not committed, laid on the table or postponed, the question shall be : shall such bill be read a third time ? Upon such question, the merits of the bill or resolution may be debated, and a motion to commit or recommit, to lay on the table or to postpone to a future day, shall be in order. If such question shall be decided in the negative, such bill shall be deemed lost ; but if it be decided in the affirmative, such bill shall, when the Senate shall order, be read a third time, and the final question shall be taken thereon, immediately after such third reading and without debate.

41. The question on the final passage of every bill shall be taken by ayes and noes, which shall be entered on the journal ; and unless the bill receives the number of votes required by the constitution to pass it, it shall be declared lost, except in cases provided for by the 42d rule.

42. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of two-thirds of all the members elected to pass it, and it appears that such number is not present, the bill shall be laid upon the table, and shall be again read, and the final question taken thereon, as provided in the forty-first rule, at such time as the Senate shall order.

43. It shall be the duty of the sergeant-at-arms to have the documents and bills upon the files of the President and Senators, placed in the order of their numbers ; and, for this purpose, the messengers shall be subject to his directions.

44. No rule of the Senate shall be altered, suspended or rescinded, without the vote of a majority of all the members of the Senate ; and no motion to suspend, alter or rescind any such rule, or any joint rule of the two houses, shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall have been given.

Mr. Floyd moved to lay said report on the table, which motion was decided in the negative.

The President then put the question upon agreeing to the report of said committee, and it was decided in the affirmative.

Mr. Fine, in pursuance of previous notice, asked for and obtained leave to bring in a bill entitled, "An act for the more effectual protection of the property of married women;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fine gave notice that he would, at an early day, ask leave to introduce a bill to punish adultery.

In pursuance of previous notice, Mr. Geddes asked for and obtained leave to bring in a bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Boker asked for and obtained leave to bring in a bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Treadwell asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Buffalo Gas Company;" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

Mr. Cook gave notice that he would, at an early day, ask leave to introduce a bill in relation to the office of police justice of the village of Saratoga Springs.

Mr. Tamblin offered for the consideration of the Senate the following concurrent resolution, which was read, and laid on the table:

*Resolved*, (if the Assembly concur,) That our Senators in Congress be instructed, and our Representatives requested to use their influence in favor of the passage of a law which shall extend and continue to the widows of certain officers and soldiers of the revolution, who were entitled to pensions under the act of Congress of July, 1838, and the act of March, 1843, and the act continuing and extending the same, for the term of five years from the fourth day of March, 1848.

*Resolved*, (if the Assembly concur,) That his Excellency the Governor be, and he is hereby respectfully requested, to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. Wilkin,

*Resolved*, That the committee on roads and bridges inquire into the propriety of introducing a bill making provision for laying out private roads.

On motion of Mr. Lawrence,

*Ordered*, That the petition of the heirs of Dr. Charles McKnight and the papers accompanying the same, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Wilkin,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petition and papers relating to the claim of John Whitehead.

Mr. Wilkin offered for the consideration of the Senate the following resolution, to wit :

*Resolved*, That so much of the Governor's message as relates to the finances of the State, be referred to the committee on finance :

That so much thereof as relates to canals, be referred to the committee on canals :

That so much thereof as relates to the organization and management of banks and the individual liability of corporators, be referred to the committee on banks and insurance companies :

That so much thereof as relates to education, be referred to the committee on literature :

That so much thereof as relates to the construction of safe and commodious harbors on the western lakes and the improvement of the navigation of rivers, be referred to the committee on commerce and navigation :

That so much thereof as relates to manufacturing corporations, be referred to the committee on manufactures :

That so much thereof as relates to agriculture and the establishment of schools for scientific and practical instruction in agriculture and mechanics, be referred to the committee on agriculture :

That so much thereof as relates to the pardoning power, imprisonment under convictions and the State prisons, be referred to the committee on State prisons :

That so much thereof as relates to landlords and tenants, be referred to the committee on the judiciary :

That so much thereof as relates to the war existing between the United States and the republic of Mexico, be referred to a select committee.

Mr. Cornwell offered the following as a substitute for the last clause of said resolution, to wit :

That so much of the annual message of his excellency the Governor as relates to the war with Mexico, be referred to a select committee consisting of one Senator from each judicial district.

*Ordered*, That said resolution and substitute for the last clause thereof, be committed to the committee of whole having in charge the Governor's message.

Mr. Cornwell offered for the consideration of the Senate, the following concurrent resolution, which was read, and laid on the table:

*Resolved*, (if the Assembly concur,) That the Constitution of the United States has given ample authority to the law-making power to "regulate commerce with foreign nations, and among the several states," and that it is a sound and proper exercise of that power to provide good and sufficient harbors for the protection of that commerce, both foreign and inland, and that the defeat of bills having as their object the granting of the necessary appropriations for the construction of such harbors, is an act of hostility to the interests

of the commerce, and that it is the duty of Congress again to present to the President of the United States for his approval, a bill making renewed appropriations for such object.

*Resolved*, (if the Assembly concur,) That the Governor be requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

On motion of Mr. Cornwell,

*Resolved*, That the reporters, pages and other officers of the Senate not embraced in the resolution already passed, be furnished with pen-knives similar to those furnished Senators, by the Clerk of the Senate, and that the expense thereof be paid from the contingent fund of the Senate.

The bill entitled, "An act to provide for the filling of vacancies in the office of sheriff and other offices," was read the third time, and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Lawrence	
Mr. Betts	Mr. Cornwell	Mr. Little	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Frost	Mr. Tamblin	
Mr. Burch	Mr. Geddes	Mr. Treadwell	
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Cole	Mr. Johnson	Mr. Williams	24

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Then the Senate adjourned until eleven o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 10, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Armitage.

The journal of Saturday was read and approved.

Mr. Ayrault presented the memorial of Mary Murray and others in relation to a dam at Mount Morris, Livingston county, which was referred to the committee on claims.

Mr. Ayrault also presented the petition of William J. Nelson and Ira E. Phillips for a rehearing before the Canal Board, which was referred to the committee on claims.

Mr. Brokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill entitled, "An act to authorize the mayor and common council of the city of Brooklyn to create a loan for the purpose of paying certain claims against said city; and also to raise money by tax to pay the expenses of making profiles of streets," which was committed to the committee of the whole.

(See Senate Bill No. 2.)

The Assembly transmitted the petition of Warren Granger and others for draining lands at Black Rock, in pursuance of a request of the Senate, which was referred to the committee on canals.

The Assembly returned the concurrent resolution for the appointment of a joint library committee, with a message informing that they had concurred therein. \*

The Assembly also returned the concurrent resolution for the adoption of the joint rules of last session, with a message informing that they had concurred therein.

Mr. Fuller gave notice that he would, at an early day, ask leave to bring in a bill authorizing the supreme court to refer suits and proceedings in equity.

In pursuance of previous notice, Mr. Fine asked for and obtained leave to bring in a bill entitled; "An act to punish adultery," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Bush,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petitions and other papers relating to the "Act amending the acts relating to the Buffalo and Hamburg Turnpike Company," passed December 14, 1847.

On motion of Mr. Treadwell,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petition of James Hay, William McAndrew and others, with the papers and documents thereto attached.

On motion of Mr. Fuller,

*Ordered*, That the petition of John Swift for canal damages, and the papers and documents relating thereto, be taken from the files of the Senate and referred to the committee on canals.

On motion of Mr. S. H. P. Hall,

The Senate then proceeded to the consideration of the concurrent resolutions heretofore offered by him, in relation to the extension of slavery in new territory.

Mr. Bokee offered the following as a substitute for the first of said resolutions, which was accepted by the mover thereof, to wit:

*Resolved*, (if the Assembly concur,) That as war now exists between the United States and Mexico, it is the imperative duty of every citizen to sustain the government in such measures as our national honor and interests demand, until the war shall be terminated by an honorable peace.

Without taking any question upon said resolutions,

*Ordered*, That the same be laid on the table and made the special order for Wednesday next.

A motion to print the usual number of copies of the resolutions heretofore offered by Mr. Tamblin in relation to the continuance of pensions to the widows of certain officers and soldiers of the revolution, was referred to the committee on public printing.

On motion of Mr. Clark,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petition and papers relative to the claim of D. Tomlinson and others.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to authorize the mayor and common council of the city of Brooklyn to create a loan for the purpose of paying certain claims against said city; and also to raise money by tax to pay the expenses of making profiles of streets;" and Mr. Smith, from said committee, reported the said bill, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the Governor's message, and the resolutions offered by Mr. Wilkin and Mr. Cornwell in relation thereto, and also upon the resolutions offered by Mr. Bokee in relation to the existing war with Mexico; and Mr. Bush, from said committee, reported that they had agreed to certain resolutions, which report, by unanimous consent, was then considered and agreed to by the Senate.

Thereupon,

*Ordered*, That so much of the Governor's message as relates to the finances of the State be referred to the committee on finances:

That so much thereof as relates to canals, be referred to the committee on canals:

That so much thereof as relates to the organization and management of banks and the individual liability of corporators, be referred to the committee on banks and insurance companies:

That so much thereof as relates to education, be referred to the committee on literature:

That so much thereof as relates to the construction of safe and commodious harbors on the western lakes and the improvement of the navigation of rivers, be referred to the committee on commerce and navigation:

That so much thereof as relates to manufacturing corporations, be referred to the committee on manufactures:

That so much thereof as relates to agriculture and the establishment of schools for scientific and practical instruction in agriculture and mechanics, be referred to the committee on agriculture:

That so much thereof as relates to the pardoning power, imprisonment under convictions and the State prisons, be referred to the committee on State prisons:

That so much thereof as relates to landlords and tenants, be referred to a select committee consisting of one Senator from each judicial district:

That so much thereof as relates to the judiciary, be referred to the committee on the judiciary :

That so much thereof as relates to the war existing between the United States and the republic of Mexico, be referred to a select committee consisting of one Senator from each judicial district.

That said resolutions offered by Mr. Bokee, be referred to the same select committee.

On motion of Mr. Cornwell,

*Ordered*, That the Senate will, on Tuesday of each week, at 12 o'clock at noon, proceed to the consideration of executive business.

The Senate then adjourned until eleven o'clock to-morrow morning.

## TUESDAY, 11 O'CLOCK, A. M., JANUARY 11, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Belknap.

The journal of yesterday was read and approved.

The President announced the appointment of Mr. Lawrence, Mr. Fine and Mr. Bond as the joint library committee on the part of the Senate.

Mr. Floyd presented the petition of four hundred inhabitants of Richmond county for the removal of the Quarantine Hospital, which was referred to the committee on grievances.

Mr. Lawrence presented a similar petition of inhabitants of the city of New-York, which was referred to the same committee.

Mr. Coffin presented the petition of the recorder of the city of Hudson asking for power to borrow money, which was referred to the committee on the judiciary.

Mr. Treadwell presented the petition of Blandina Dudley, praying for the repeal or modification of the law to equalize taxation, which was referred to the select committee upon so much of the Governor's message as relates to landlords and tenants, when appointed.

Mr. S. H. P. Hall presented the petition of inhabitants of Broome county for the passage of a law authorizing the old seal of the county to be used in all cases when a seal may be required, which was referred to the committee on the judiciary.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorize the mayor and common council of the city of Brooklyn to create a loan

for the purpose of paying certain claims against said city ; and also to raise money by tax to pay the expenses of making profiles of streets."

Mr. Fuller, from the committee on canals, reported in favor of the passage, with amendments, of the bill entitled, "An act in relation to the office of State Engineer and Surveyor," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, asked for and obtained leave to report a bill entitled, "An act authorising Patrick Walsh to convey certain real estate;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 11.)*

Mr. Wilkin from the same committee, reported adversely to the passage of the bill entitled, "An act regulating the time of payment of salaries to clerks employed in the office of the clerk of the court of appeals;" which was committed to the committee of the whole.

*(See Senate Bill No. 6.)*

Mr. Wilkin, from the same committee, reported in favor of the passage of the bill entitled, "An act to punish adultery;" which was committed to the committee of the whole.

*(See Senate Bill No. 9.)*

Mr. Wilkin, from the same committee, reported adversely to the petition of P. B. Pope, of Kings county, for the passage of a law allowing the sale of certain real estate, which report was laid on the table.

Mr. Wilkin, from the same committee, to which was referred the petition for that purpose, asked and obtained leave to report a bill entitled, "An act to amend the act entitled, 'An act for the relief of Leah Morris,' passed May 21, 1836;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 7.)*

Mr. Brownson, from the committee on public printing, reported in favor of printing the usual number of copies of the resolution offered by Mr. Tamblin in relation to the continuance of pensions to the widows of officers and soldiers of the revolution, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the usual number of copies of said resolution be printed.

(See Senate Bill No. 8.)

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards in the city of Brooklyn," which was committed to the committee of the whole.

The Assembly transmitted the petition and papers relating to the claim of John Whitehead, in pursuance of a request of the Senate, which were referred to the committee on claims.

In pursuance of previous notice, Mr. Cook asked for and obtained leave to bring in a bill entitled, "An act in relation to the police justice of Saratoga Springs," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 10.)

On motion of Mr. Treadwell,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petitions and papers on file in that House, relating to the claim of Henry Rector.

Mr. Adams gave notice that he would at an early day, ask leave to introduce a bill authorizing incorporated banks and insurance companies to reduce their capital.

On motion of Mr. Little the Senate then proceeded to the consideration of a resolution heretofore offered by him, which was adopted in the words following, to wit :

*Resolved*, That the petition of George Clark for a repeal of the law equalizing taxation, together with the accompanying documents, presented at the last session of the Senate, be taken from the files and referred to the select committee upon so much of the Governor's message as relates to landlords and tenants, when appointed.

Mr. Treadwell gave notice that he would, at an early day, ask leave to bring in a bill amending the "Act erecting the towns of Wright and Esperance in the county of Schoharie."

The bill entitled, "An act authorizing the mayor and common council of the city of Brooklyn to create a loan for the purpose of paying certain claims against said city ; and also to raise money by tax to pay the expenses of making profiles of streets," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Finè	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor," and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That the usual number of copies of said bill, and the amendments offered thereto in committee of the whole, be printed.

(See Senate Bills No. 3 & 13)

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to suits at law and in equity arising in the county of Orleans," and Mr. Smith, from said committee, reported progress and asked for leave to sit again.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary.

On motion of Mr. Little,

*Ordered*, That two hundred and fifty copies of the Constitution of this State, together with marginal notes and index, prepared by the late Clerk of the Senate, be printed for the use of the Senate.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn," and Mr. Cook, from said committee, reported progress and obtained leave to sit again.

Mr. Floyd moved a reconsideration of the vote taken yesterday upon agreeing to the report of the committee of the whole to refer the message of the Governor to committees, which motion was laid on the table.

Then the Senate adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 12, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Armitage.

The journal of yesterday was read and approved.

Mr. Wilkin presented the petition of John Whitehead for pay for the services of William Whitehead in the revolutionary war, which was referred to the committee on claims.

Mr. Johnson presented the petition of the American Institute of the city of New-York, for legislative aid in establishing an agricultural school or college and experimental farm near the city of New-York, which was referred to the committee on agriculture.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, asked for and obtained leave to report a bill entitled, "An act to authorize the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts now owing by said city," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 14.)

A message was received from the Assembly informing that they had appointed Mr. Brooks, Mr. Fiske, Mr. Palmer, Mr. Pruyn and Mr. W. Sidney Smith, the joint library committee on the part of that House.

The Assembly transmitted the petition and other papers on file in relation to the claim of Eli Hamilton and Peter Hamilton for canal damages, in pursuance of a request of the Senate, which were referred to the committee on canals.

The Assembly also transmitted the petition and other papers in relation to the claim of Benjamin Barney for canal damages, in pursuance of a request of the Senate, which were referred to the same committee.

The Assembly transmitted the petitions and documents in relation to the claims of David Tomlinson and others, in pursuance of a request of the Senate, which were referred to the committee on claims.

The Assembly also transmitted the petition of James Hay, William McAndrews and others, with the papers and documents thereto attached, in pursuance of a request of the Senate, which were referred to a select committee consisting of Mr. Hawley, Mr. Wm. Hall, and Mr. Burch.

The Assembly also transmitted the petitions and documents in relation to the "Act amending the acts relating to the Buffalo and Hamburg turnpike company," in pursuance of a request of the Senate, which were referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled, 'An act relating to harbor masters in the city of New-York,' " which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A resolution was received from the Assembly in the words following, to wit :

Whereas, The President of the United States, in his last annual message, has recommended the establishment by Congress of territorial governments over the conquered Mexican provinces of New Mexico and the Californias, and the retention thereof as an indemnity; in which said territories the institution of slavery does not now exist, therefore

*Resolved*, (if the Senate concur,) That our Senators in Congress be instructed and our Representatives requested to use their best efforts to insert into any act or ordinance, establishing any and all such provisional or territorial government or governments, a fundamental article or provision which shall provide, declare and guaranty, that slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been first duly convicted, shall be prohibited therein, so long as the same shall remain a territory.

*Resolved*, (if the Senate concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolution and preamble to each of said Senators and Representatives.

Mr. Johnson moved to refer said resolution to the select committee upon so much of the Governor's message as relates to the existing war with Mexico, when appointed, which motion was decided in the negative.

Thereupon,

*Ordered*, That said resolution be laid on the table, and that the usual number of copies thereof be printed.

(See Senate Bill No. 5.)

Mr. Little gave notice that he would, at an early day, ask leave to introduce a bill for the incorporation of charitable and religious societies.

Mr. Treadwell gave notice that he would, at an early day, ask leave to introduce a bill for the further protection of personal liberty.

In pursuance of previous notice, Mr. Hawley asked for and obtained leave to bring in a bill entitled, "An act to amend the Revised Statutes relative to obtaining possession of land by summary proceedings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Treadwell, in pursuance of previous notice, asked for and obtained leave to bring in a bill entitled, "An act to amend an act to

erect the towns of Wright and Esperance in the county of Schoharie ;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

On motion of Mr. Fuller,

*Resolved*, That each member and officer of the Senate be furnished with a copy of the laws of the last session of the Legislature, and that the expense thereof be paid from the contingent fund of the Senate.

On motion of Mr. Ayrault,

*Ordered*, That the petition and papers on file relative to the claim of William J. Nelson and Ira E. Phillips, be taken therefrom and referred to the committee on claims,

On motion of Mr. Treadwell,

*Resolved*, That a message be transmitted to the Assembly requesting them to transmit to the Senate the petitions and papers on file in that House relative to the erection of the towns of Wright and Esperance in the county of Schoharie, and that the same be referred to the committee on the division of towns and counties.

On motion of Mr. S. H. P. Hall, the Senate then proceeded to the consideration of the concurrent resolutions heretofore offered by him.

Mr. S. H. P. Hall having withdrawn the first of said resolutions, the remainder thereof were read in the words following, to wit :

*Resolved*, (if the Assembly concur.) That in the acquisition of new territory by the United States, by purchase or otherwise, it is clearly within the constitutional power of Congress to impose any conditions or restrictions in relation to the terms upon which such additional territory shall be admitted into the Union ; and the organization and admission of new slave States, without the assent of the free States, (original members of the confederacy,) would be a violation of their rights.

*Resolved*, (if the Assembly concur,) That if any such territory shall hereafter be acquired or annexed, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision whereby slavery or involuntary servitude, except as a punishment for crime, shall be forever excluded from the territory acquired or annexed.

*Resolved*, (if the Assembly concur,) That the Senators in Congress from this State be instructed, and that the Representatives in Congress from this State be requested, to use their best efforts to carry into effect the views expressed in the foregoing resolutions.

*Resolved*, (if the Assembly concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolutions to each of the said Senators and Representatives.

Mr. Fine moved to amend said resolutions by substituting therefor the concurrent resolution this day received from the Assembly for concurrence, as heretofore read, which motion was decided in the affirmative.

The question then being upon agreeing to said resolutions as amended,

On motion of Mr. Cornwell,

*Ordered*, That the same be laid on the table.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. S. H. P. Hall, and by unanimous consent,

*Ordered*, That the concurrent resolutions heretofore offered by him in relation to the extension of slavery, be made the special order for to-morrow, immediately after the reading of the journal.

Then the Senate adjourned until eleven o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 13, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Belknap.

The journal of yesterday was read and approved.

The Senate then, pursuant to order, proceeded to the further consideration of the concurrent resolutions heretofore offered by Mr. S. H. P. Hall, in relation to the extension of slavery in new territory, as read in the journal of yesterday.

The question being upon agreeing to said resolutions as amended, adopting the substitute offered by Mr. Fine therefor,

Mr. Tanblin moved a reconsideration of the vote taken yesterday upon adopting said substitute offered by Mr. Fine for said resolutions heretofore offered by Mr. S. H. P. Hall, which motion was decided in the affirmative.

Without taking the question upon said resolutions;

On motion of Mr. S. H. P. Hall;

*Ordered*, That the same be laid on the table.

On motion of Mr. S. H. P. Hall, and by unanimous consent,

The Senate then proceeded to the consideration of the concurrent resolutions heretofore received from the Assembly, in the words following:

*Whereas*, The President of the United States, in his last annual message, has recommended the establishment by Congress of territorial governments over the conquered Mexican provinces of New Mexico and the California; and the retention thereof as an indemn-

nity, in which said territories the institution of slavery does not now exist; therefore,

*Resolved*, (if the Senate concur,) That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to insert into any act or ordinance, establishing any and all such provisional or territorial government or governments, a fundamental article or provision which shall provide, declare and guaranty, that slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been first duly convicted, shall be prohibited therein, so long as the same shall remain a territory.

*Resolved*, (if the Senate concur,) That the Governor be requested to transmit a copy of the foregoing resolutions and preamble to each of said Senators and Representatives.

The President put the question upon agreeing to the said resolution, and it was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Hawley	

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#### FOR THE NEGATIVE.

Mr. Tamblin

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*Ordered*, That the Clerk return the said resolutions to the Assembly, and inform them that the Senate have concurred therein.

On motion of Mr. S. H. P. Hall,

The Senate then again proceeded to the consideration of the concurrent resolutions heretofore offered by him, in the words following, to wit :

*Resolved*, (if the Assembly concur,) That in the acquisition of new territory by the United States, by purchase or otherwise, it is clearly within the constitutional power of Congress to impose any conditions or restrictions in relation to the terms upon which such additional territory shall be admitted into the Union, and that the organization and admission of new slave states without the assent of the States, would be a violation of their rights.

*Resolved*, (if the Assembly concur,) That if any such territory shall hereafter be acquired or annexed, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision whereby slavery or involuntary servitude, except as a punishment for crime, shall be forever excluded from the territory acquired or annexed.

*Resolved*, (if the Assembly concur,) That the Senators in Congress from this State be instructed, and that the Representatives in Congress from this State be requested, to use their best efforts to carry into effect the views expressed in the foregoing resolutions.

*Resolved*, (if the Assembly concur,) That the President of the Senate and the Speaker of the Assembly, be requested to transmit a copy of the foregoing resolutions to each of the said Senators and Representatives.

Mr. Cornwell moved to amend the first of said resolutions, by inserting therein between the words "of" and "the" in the sixth line thereof the word "all;" also by striking out thereof the word "their" before the word "rights," and inserting in lieu thereof the word "the;" and also by adding to said resolution the words "rights of the state or states not consenting thereto," which motion was decided in the affirmative.

The question then being upon agreeing to said resolutions,

Mr. S. H. P. Hall called for a division of the same.

The President put the question upon agreeing to the first of said resolutions as amended, which was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Johnson
Mr. Bokee	Mr. Cole	Mr. Lawrence
Mr. Bond	Mr. Cook	Mr. Little
Mr. Brownson	Mr. Cornwell	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams

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#### FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Fine		

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The question then being upon agreeing to the second of said resolutions,

Mr. Tamblin moved to amend the same by striking out thereof the word "forever," which motion was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Tamblin
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## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Witkin
Mr. Coffin	Mr. Hawley	Mr. Williams
Mr. Cole	Mr. Johnson	

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The President then put the question upon agreeing to said second resolution, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams

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The President then put the question upon agreeing to said third and fourth resolutions, and it was decided in the affirmative.

*Ordered,* That the Clerk deliver the said resolutions to the Assembly, and request their concurrence therein.

Mr. Bokee presented the petition of C. P. Smith and others, of the city of Brooklyn, for the passage of an act limiting the period within which the bills of broken banks may be presented for redemption, which was referred to the committee on banks and insurance companies.

Mr. Geddes presented the petition of John Bowman for an alteration of the law in relation to the mode of assessing property, which was referred to the committee on the judiciary.

Mr. Cornwell presented the petition of sundry citizens of Galen, Wayne county, for the passage of a law authorising the construction of a railroad from Syracuse to Rochester on the most direct and eligible route, which was referred to the committee on railroads.

Mr. Lawrence presented the petition of Edward Clark, Peter Ballard, Robert S. Livingston, and others, for legislative aid in establishing an agricultural college or school with an experimental farm near the city of New-York, under the superintendence of the American Institute, which was referred to the committee on agriculture.

Mr. Johnson presented the petition of the first christian party of Oneida Indians of Duck Creek, in the territory of Wisconsin, asking to be paid certain moneys on the sale of lands heretofore re-

leased to this State, which was referred to the committee on Indian affairs.

Mr. Cole presented the petition of B. Fairman and others, praying for the passage of a law for the construction, at the expense of the State, of a bridge across the Erie canal at Medina, in the county of Orleans, which was referred to the committee on canals.

Mr. Bush presented the resolutions of the common council of the city of Buffalo for a draw in the bridge across Buffalo harbor, which was referred to the committee on roads and bridges.

Mr. Bush also presented the petition of inhabitants of Black Rock in relation to draining certain lands, which was referred to the committee on canals.

Mr. S. H. P. Hall presented the petition of inhabitants of the town of Owego for the passage of a law to extend the time for the collection of taxes in said town, which was referred to the committee on finance.

On motion of Mr. Fuller,

*Ordered*, That the committee on canals be discharged from the further consideration of the petitions and other papers in relation to the "Act amending the acts relating to the Buffalo and Hamburg Turnpike Company," and that the same be referred to the committee on roads and bridges.

On motion of Mr. Fuller,

*Ordered*, That the committee on canals be discharged from the further consideration of the petition of John Swift for canal damages, and that the same be referred to the committee on claims.

Mr. Burch, from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act relating to the harbor masters in the city of New-York,'" which was committed to the committee of the whole.

Mr. Hawley, from the committee on manufactures, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend an act entitled, 'An act to incorporate the Gas Light Company of the village of Brooklyn,' passed April 18, 1825," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 12.)*

The Assembly transmitted the petition and papers in relation to the claim of Henry Rector for services in the erection of the new State Hall, which was referred to the committee on claims.

The Assembly returned the bill entitled, "An act to authorize the mayor and common council of the city of Brooklyn to create a loan for the purpose of paying certain claims against said city; and also to raise money by tax to pay the expenses of making profiles of streets," with a message informing that they have passed the same without amendment, which was delivered to the Governor.

A resolution was received from the Assembly in the words following, to wit:

*Resolved*, (if the Senate concur,) That so much of an act of Congress, passed at its last session, as enlarges the franking privilege of members of Congress, imposes postage on newspapers not conveyed by mail more than thirty miles from the place where they are printed, increases the postage on newspapers not sent from the office of publication and requires it to be pre-paid, was not demanded by the public interest, is impolitic, unjust and oppressive, and ought to be repealed.

*Resolved*, (if the Senate concur,) That the Senators in Congress from this State be instructed, and that the Representatives in Congress from this State be requested, to use their best efforts to procure a repeal, at as early a day as practicable in the present session of Congress, of so much of the act referred to as is specified in the foregoing resolution.

*Resolved*, (if the Senate concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolutions to each of said Senators and Representatives.

The president put the question upon concurring in said resolutions, and it was decided in the affirmative.

*Ordered*, That the clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

A bill was received from the Assembly for concurrence entitled, "An act to revive an act entitled, 'An act for the relief of the Shinecock tribe of Indians,' passed April 19, 1831," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A communication was received from John A. Collier, esq., resigning the office of Commissioner of the Code, which was read and laid on the table.

The report of the Butchers' and Drovers' Bank of unclaimed dividends and deposits, was received and laid on the table.

In pursuance of previous notice, Mr. Little asked for and obtained leave to bring in a bill entitled, "An act for the incorporation of charitable and benevolent societies;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Treadwell asked for and obtained leave to bring in a bill entitled, "An act for the further protection of personal liability;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Fuller asked for and obtained leave to bring in a bill entitled, "An act to authorize the supreme court to refer suits and proceedings in equity;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hawley asked for and obtained leave to bring in a bill entitled, "An act to protect the character of females;" which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

Mr. Ayrault gave notice that he would at an early day, ask leave to introduce a bill to amend the general banking law so as to provide that the business of banks formed under the same shall, under proper regulations, be conducted at the place of their location.

Mr. Bush gave notice that he would, at an early day, ask leave to introduce a bill authorising the Canal Commissioners to remove obstructions below the ship canal at Black Rock.

Mr. Hawley gave notice that he would, at an early day, ask leave to introduce a bill to subject to taxation certain debts owing to non-residents of the United States.

On motion of Mr. Ayrault,

*Resolved*, That the Canal Commissioners be requested to report to the Senate the probable cost of completing the Genesee Valley canal from its junction with the Dansville sidecut at the shakers' settlement to Caneadea feeder, at such prices as were contracted to be paid for work at the lettings made during the year 1847, on said canal.

On motion of Mr. Hawley,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petition and papers relating to the claim of Henry B. Hewett and others, and that they be referred to the committee on claims.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

The President announced the appointment of the following select committees :

On so much of the Governor's message as relates to the war with Mexico,

Mr. Wilkin,  
Mr. Frost,  
Mr. Fox,  
Mr. Fine,

Mr. Clark,  
Mr. Betts,  
Mr. Ayrault,  
Mr. Bush.

On so much of the Governor's message as relates to landlords and tenants,

Mr. Treadwell,  
Mr. Johnson,  
Mr. Smith,  
Mr. Fine,

Mr. Tamblin,  
Mr. Little,  
Mr. Fuller,  
Mr. Brownson.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn;" and Mr. Cook, from said committee, reported the said bill, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 14, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Ambler.

The journal of yesterday was read and approved.

Mr. Fuller presented the memorial of John Eeky relating to an improvement in the construction of canal boats, which was referred to the Canal Board for their report thereon.

A motion to print the usual number of copies of said petition, was referred to the committee on public printing.

Mr. Bush presented the petition of sundry citizens of Buffalo for a draw in a toll bridge, which was referred to the committee on roads and bridges.

Mr. Cook, from the committee on claims, reported adversely to the petition of the heirs of Charles McKnight for relief, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Little, from the committee on charitable and religious societies, reported in favor of the passage of a bill entitled, "An act for the incorporation of charitable and benevolent societies," which was committed to the committee of the whole.

(See Senate Bill No. 15.)

Mr. S. H. P. Hall reported as correctly engrossed the bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn."

The annual report of the executive committee of the State Normal School was received, and laid on the table.

(See Senate Doc. No. 18.)

A motion to print five hundred extra copies of said report for the use of the Regents of the University, was referred to the committee on public printing.

By unanimous consent, Mr. S. H. P. Hall asked for and obtained leave to bring in a bill entitled, "An act to authorize the formation of savings banks;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

By unanimous consent Mr. S. H. P. Hall asked for and obtained leave to bring in three several bills with the following titles, to wit :

"An act to incorporate the Corbetsville Bridge Company in the county of Broome;" also

"An act to revive the charter of the Susquehannah Centre Bridge Company, in the county of Broome;" and also

"An act to revive the charter of the Conklin Bridge Company in the county of Broome," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

On motion of Mr. Fine,

*Resolved*, That it be referred to the committee on the judiciary, to report their opinion whether it be not wiser for the codifiers of the law, instead of attempting to reduce the unwritten law to writing, the work, as they confess, of more than seven years, and at the expense of more than fifty thousand dollars, to revise our statute law, adapting it to the new Constitution, omitting what is useless or has been repealed, and adding notes of explanation, with references to the decisions of our courts.

Mr. Fine offered the following concurrent resolutions, which were read and laid on the table:

*Resolved*, (if the Assembly concur,) That the Constitution of the United States has vested in Congress the entire and exclusive legislative power over commerce with foreign nations and among the several states; and as there cannot exist an extensive commercial intercourse with foreign nations and among the several states without safe and convenient harbors, it is the right and duty of Congress and of the Executive to make judicious appropriations for the improvement of the harbors on the Lake frontier, and on the Atlantic and Pacific sea coasts.

*Resolved*, That we disapprove of the late veto message of the President on the harbor bill.

*Resolved*, That the Governor be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

On motion of Mr. S. H. P. Hall,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the petitions for the revival of the charter of the Susquehannah Centre Bridge Company.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the petitions on file in the Senate in relation to the applications of the Conklin Bridge Company and the Corbetsville Bridge Company, be taken therefrom and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Bush asked for and obtained leave to bring in a bill entitled, "An act to remove certain obstructions below the ship lock at Black Rock;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Hawley asked for and obtained leave to bring in a bill entitled, "An act to amend the Revised Statutes in relation to the duty of assessors in making assessments

and correcting assessment rolls;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. S. H. P. Hall,

*Resolved*, That the judiciary committee inquire into the expediency of reporting a bill to prevent appeals from justices' courts in all cases where jury trials have been had, and the judgment obtained does not exceed fifty dollars, and making provision for new trials in such cases and upon what terms they may be had before the same court.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act relating to harbor masters in the city of New-York ;'" and Mr. Geddes, from said committee, reported said bill, which report, by unanimous consent, was then considered.

Mr. Fine moved to amend the report of said committee by inserting in said bill, as an additional section, the following :

"Whenever the fees, perquisites and other receipts of every kind, which shall be yearly accounted for on oath, to the collector, shall exceed the sum of twenty-five hundred dollars, for each harbor master, for twelve months, the excess shall be paid into the treasury of the city of New-York."

Which motion was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Hawley
Mr. Betts	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. W. Hall	Mr. Tamblin
Mr. Fine		

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Cole	Mr. S. H. P. Hall
Mr. Bond	Mr. Cook	Mr. Johnson
Mr. Brownson	Mr. Fox	Mr. Lawrence
Mr. Bush	Mr. Frost	Mr. Little
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Coffin		

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Mr. Hawley moved to amend the report of said committee by inserting in said bill an additional section, as follows :

"The common council of the city of New-York shall, from time to time, fix the salaries of the harbor masters, and that the balance of their fees be paid into the treasury of the said city."

Which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Fine	Mr. Hawley	Mr. Tamblin

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## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Bokee	Mr. Cook	Mr. W. Hall
Mr. Bond	Mr. Cornwell	Mr. Johnson
Mr. Brownson	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Frost	Mr. Little
Mr. Bush	Mr. Fuller	Mr. Martin
Mr. Clark	Mr. Geddes	Mr. Williams
Mr. Coffin		

22

The report of said committee was then agreed to, and the bill ordered to a third reading.

On motion of Mr. Johnson, and by unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. W. Hall	

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## FOR THE NEGATIVE.

Mr. Smith

1

*Ordered,* That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to punish adultery;" and Mr. Hawley, from said committee, reported the said bill with amendments, which was laid on the table.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend the act entitled, 'An act for the relief of Leah Morris,' passed May 21, 1836, and to revive and continue the first and third sections of said act;" and Mr. Bokee, from said committee, reported said bill with amendments, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 15, 1848

The Senate met pursuant to adjournment.

Prayer by the Rev. W. H. Campbell.

The journal of yesterday was read and approved.

Mr. Treadwell presented the petition of David Tomlinson and eight others, of Schenectady, praying for the repeal of the law passed 1846 to equalize taxation, which was referred to the select committee on so much of the Governor's message as relates to landlords and tenants.

Mr. Brownson, from the committee on public printing, reported adversely to printing the usual number of copies of the memorial of John Eeky relating to an improvement in the construction of canal boats, which report was agreed to by the Senate.

The Assembly transmitted the petition and papers relating to the claim of Henry B. Hewett and others, in pursuance of a request of the Senate, which were referred to the committee on claims.

A message was received from the Assembly requesting the Senate to transmit to the House the petitions and papers in relation to the bill to incorporate the association for improving the dwellings of the laboring classes.

A message was also received from the Assembly requesting the Senate to transmit to that House the papers relating to the application of John H. Veeder and others, Oneida purchasers, for relief.

*Ordered*, That the Clerk transmit said papers to the Assembly, in pursuance of said request.

The Assembly transmitted the petitions and papers in relation to the erection of the towns of Wright and Esperance, in the county of Schoharie, in pursuance of a request of the Senate, which were referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to appoint a superintendent of common schools of the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and referred the committee on literature.

A bill was also received from the Assembly for concurrence entitled, "An act to revive an act entitled, 'An act to incorporate the Rome Academy;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was also received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain real estate of which Henry Stafford died seized, to Mary Stafford;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Lawrence presented the annual report of the trustees of the State Library, which was referred to the joint library committee.

*(See Senate Doc. No. 21.)*

A motion to print seven hundred and fifty extra copies of said report and accompanying documents, was referred to the committee on public printing.

Mr. Geddes, from the committee on roads and bridges, reported a bill entitled, "An act to provide for the incorporation of bridge companies;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 44.)*

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the act entitled, 'An act for the relief of Leah Morris,' and to revive and continue the first and third sections of said act."

Mr. Cook gave notice that he would, at an early day, ask leave to introduce a bill to amend section thirty-nine of title three of chapter

twenty of the Revised Statutes, in its application to the county of Saratoga.

The Senate then proceeded to the consideration of a motion heretofore made by Mr. Floyd to reconsider the vote heretofore taken upon agreeing to the report of the committee of the whole to refer the annual message of the Governor.

Debates being had thereon without taking any question,

On motion of Mr. Tamblin,

*Ordered*, That said motion be laid on the table.

On motion of Mr. Tamblin,

The Senate then proceeded to the consideration of the concurrent resolution relative to extending and continuing pensions to the widows of certain officers and soldiers of the revolution.

Without taking any question thereon,

On motion of Mr. Johnson,

*Ordered*, That the same be laid on the table.

The bill entitled, "An act to amend the act entitled, 'An act for the relief of Leah Morris,' passed May 21, 1836, and to revive and continue the first and third sections of said act," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Little
Mr. Bush	Mr. Fuller	Mr. Martin
Mr. Coffin	Mr. Geddes	Mr. Smith
Mr. Cole	Mr. W. Hall	Mr. Treadwell
Mr. Cornwell	Mr. Hawley	Mr. Williams
Mr. Fine		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That the usual number of copies of the amendments to said bill offered in committee of the whole be printed.

(See Senate Bill No. 29.)

The Senate then proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act to punish adultery," which report was agreed to by the Senate.

The President then put the question, "shall such bill be read a third time," which was decided in the affirmative; as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Little
Mr. Clark	Mr. Geddes	Mr. Martin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Smith
Mr. Cole	Mr. W. Hall	Mr. Treadwell
Mr. Cornwell	Mr. Hawley	Mr. Williams
Mr. Fine		

22

## FOR THE NEGATIVE.

Mr. Tamblin

1

Thereupon,

Said bill was ordered to a third reading.

By unanimous consent Mr. W. Hall presented the petition of John Rankin and others, of the city of Brooklyn, for a modification of the law for the opening of Washington Park in said city, which was referred to the committee on the judiciary.

Then the Senate adjourned until eleven o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 17, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Ambler.

The journal of Saturday was read and approved.

Mr. Fuller presented the memorial of the commissioners of the Western House of Refuge, for an appropriation to finish and furnish the same, which was referred to the committee on State prisons.

Mr. Floyd presented the petition of 175 inhabitants of New Woodstock, Madison county, for a law punishing adultery, which was laid on the table.

Mr. Fuller presented the petition of citizens of Rochester for the passage of a law in relation to certain claims for canal damages, which was referred to the committee on canals.

Mr. S. H. P. Hall presented the communication of Levi Jones, asking for the passage of a law confirming the doings of the commissioners of highways in the town of Lisle, Broome county, which was referred to the committee on roads and bridges.

Mr. S. H. P. Hall also presented the petition of one hundred citizens of Broome county for the appointment of guardians to canal boys, which was referred to the committee on canals.

Mr. S. H. P. Hall also presented the petition of Sarah P. Mather, of Brooklyn, for the renewal of a charter, which was referred to the committee on the judiciary.

Mr. Bush presented the petition of twenty-five forwarders and commercial men of Buffalo, for a draw in the toll bridge across Buffalo Creek, which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of John Strong and others, praying the passage of a law to compensate for damages done by the breach of the Erie canal, and excavations made for the repairs thereof, in the town of Rotterdam, county of Schenectady, which was referred to the committee on canals.

Mr. Brownson, from the committee on public printing, reported in favor of printing 750 extra copies of the annual report of the Trustees of the State Library and accompanying documents, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That seven hundred and fifty extra copies of said report be printed.

Mr. Brownson, from the same committee, reported in favor of printing five times the usual number of copies of the report of the executive committee of the State Normal School for the use of the Legislature, and also five hundred extra copies for the use of the Regents of the University.

Mr. Bush moved to amend the report of said committee by printing ten times the usual number of copies of said report for the use of the Legislature, which motion was decided in the affirmative.

The President then put the question upon agreeing to the report of said committee as amended, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bond  
Mr. Bush  
Mr. Clark  
Mr. Cole

Mr. Cornwell  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell

## FOR THE NEGATIVE.

Mr. Brownson  
Mr. Coffin  
Mr. Cook  
Mr. Fine

Mr. Floyd  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Smith

Mr. Tamblin  
Mr. Wilkin  
Mr. Williams

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Mr. Smith moved a reconsideration of the vote just taken upon agreeing to the report of said committee as amended, which motion was decided in the affirmative.

Mr. Tamblin then moved a reconsideration of the vote taken upon agreeing to the amendment offered by Mr. Bush, which motion was decided in the affirmative.

Mr. Bush having withdrawn his said motion to amend said report,

The President then again put the question upon agreeing to the report of said committee, which was decided in the affirmative.

Thereupon,

*Ordered*, That five times the usual number of copies of the said report be printed for the use of the Legislature, and five hundred extra copies thereof for the use of the Regents of the University.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to appoint a superintendent of common schools of the city of Brooklyn," which was committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, to which was referred the petitions for that purpose, reported a bill entitled, "An act to amend the act passed December 14, 1847, entitled, 'An act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed January 23, 1830, and amended April 7, 1847;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 16.)

Mr. S. H. P. Hall reported as correctly engrossed the bill entitled, "An act to punish adultery."

On motion of Mr. Coffin, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to authorize the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts now owing by said city," and that the same be ordered to a third reading.

On motion of Mr. Tamblin,

The Senate then again proceeded to the consideration of the concurrent resolutions heretofore offered by him in relation to extending and continuing pensions to the widows and soldiers of the revolution.

Without taking any question thereon,

On motion of Mr. Johnson,

*Ordered*, That said resolutions be laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to pay Benjamin D. Quigg for arresting a fugitive from justice," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was also received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act in relation to the temporary relief of the poor in the county of Livingston, and such other counties as may adopt the provisions of this act,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was also received from the Assembly for concurrence entitled, "An act to confirm the official acts of Adam Smith, a commissioner of highways of the town of Manheim," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Two several bills were also received from the Assembly for concurrence with the following titles, to wit:

"An act to annex part of the town of Moreau to the town of Corinth;" also

"An act to amend an act entitled, 'An act to erect the town of South Valley in the county of Cattaraugus,' passed April 2, 1847;" which were severally read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Mr. Martin gave notice that he would, at some future day, ask leave to introduce a bill for the more speedy enlargement of the Erie canal.

Mr. Fuller gave notice that he would, at some future day, ask leave to introduce a bill to provide for the incorporation of companies to construct railroads.

On motion of Mr. Treadwell,

*Ordered*, That the petition and papers of Stephen Van Rensselaer praying for a repeal of the law of 1846 to equalize taxation, be taken from the files of the Senate and referred to the select committee upon so much of the Governor's message as relates to landlords and tenants.

On motion of Mr. Cornwell,

*Resolved*, That the committee on medical societies and medical colleges be, and they are hereby instructed, to enquire whether any, and if any what statutory measures should be adopted to prevent the spreading of infectious diseases, and that they report to the Senate with all convenient speed.

Mr. Geddes offered the following concurrent resolutions, which were read and laid on the table:

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be respectfully requested to use their influ-

ence in favor of the passage of a law which shall secure to the widows and orphans of officers and soldiers who fall in battle, or who die of wounds received in the service of the country, pensions equal to the pay proper of said officers or soldiers.

*Resolved*, (if the Assembly concur,) That his Excellency the Governor, be, and is respectfully requested, to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

On motion of Mr. Cook,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the papers in relation to the application of the Trustees of the Saratoga Springs Academy and Scientific Institute, and the same be referred to the committee on literature.

Mr. Smith offered a resolution in the words following, to wit :

*Resolved*, That on and after Monday next the Senate will meet at 10 o'clock A. M.

The President put the question upon agreeing to said resolution, and it was decided in the negative.

By unanimous consent, Mr. Cornwell offered amendments to the 40th and 45th rules of the Senate, which were read and laid on the table.

*Ordered*, That the usual number of copies of said amendments to the rules, be printed.

(See Senate Doc. No. 10.)

Mr. Hawley offered the following concurrent resolution, which was read and laid on the table :

*Whereas*, Large tracts of land in the counties of Allegany and Steuben, known as the Hornby and Pultney lands, are claimed and held by persons residing in England, or in some other place other than the United States, or by persons who hold the same by purchase from said claimants; and whereas, serious doubts exist relative to the title to said lands, insomuch that many of said purchasers now residing thereon, and who have made large and valuable improvements, are deterred from making further improvements, and from paying for the lands, and others desirous of purchasing said lands and settling thereon are prevented from doing so on account of such supposed defective title, thereby preventing the settlement and improvement of said lands, to the great detriment of the State and the growth and prosperity of the said counties of Steuben and Allegany, and more especially the interests of the numerous and industrious settlers now residing upon said lands; and whereas, it is believed that said lands have escheated to and become the property of the people of this State; therefore

*Resolved*, (if the Assembly concur,) That for the purpose of determining the question of title to said lands, the Attorney General be, and he is hereby directed, in behalf of the people of this State, to commence and prosecute to judgment, with all reasonable despatch,

one or more suit or suits for the recovery of the whole or some part of said lands, known as the Hornby tract ; and also one or more suit or suits for the recovery of the whole or some part of said lands known as the Pultney tract, if in the opinion of the Attorney General there is ground to believe the said suits can be prosecuted with success.

*Ordered*, That the usual number of copies of said resolution be printed.

(See Senate Bill No. 19.)

The bill entitled, "An act to punish adultery," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Little
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Smith
Mr. Coffin	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cook	Mr. W. Hall	Mr. Williams
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FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the police justice of the village of Saratoga Springs ;" and Mr. Tamblin, from said committee, reported said bill to the Senate.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act authorizing Patrick Walsh to convey certain real estate ;" and Mr. Treadwell, from said committee, reported progress, and obtained leave to sit again.

A communication was received from the officers of the New-York State Agricultural Society, inviting the members of the Senate to attend their annual meeting on the 19th inst., which was read and laid on the table.

Then the Senate adjourned until eleven o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., JANUARY 18, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. W. H. Campbell.

James S. Whallon, Senator from district number fourteen, appeared in the Senate chamber and took and subscribed the constitutional oath of office.

The journal of yesterday was read and approved.

Mr. Fine presented the petition of the supervisors of St. Lawrence county for the passage of a law to authorize the election of local officers in said county, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of Albion Jackson and others, praying for the repeal of the various laws requiring them to take toll on the highway through the lands belonging to the Onondaga tribe of Indians that a plank road may be constructed on said highway, which was referred to the committee on roads and bridges.

Mr. Cornwell presented two several petitions of citizens of Wayne county, praying for the passage of a law authorizing the construction of a railroad from Syracuse to Rochester upon the most eligible route, which were referred to the committee on railroads.

Mr. Bokee presented the petition of Jeremiah Johnson and others, of the city of Brooklyn, in favor of Washington Park, and also in favor of a more equitable assessment of the expenses thereof, which was referred to the committee on the judiciary.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to confirm the official acts of Adam Smith, a commissioner of highways of the town of Manheim," which was committed to the committee of the whole.

Mr. Cook, from the committee on claims, reported in favor of the passage of the bill from the Assembly entitled, "An act to pay Benjamin D. Quigg for arresting a fugitive from justice," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, to which were referred the petitions for that purpose, reported a bill entitled, "An act to amend an act entitled, 'An act to authorize the Canal Commissioners to drain certain lands near Skajaquada Creek in the town of Black Rock,' passed April 28, 1847;" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 21.)

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to revive and amend an act entitled, 'An act to incorporate the Rome Academy,' " which was committed to the committee of the whole.

Mr. Clark, from the committee on manufactures, reported in favor of the passage of the bill entitled, "An act to incorporate the Gas Light Company at Buffalo," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to authorize the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts now owing by said city."

Mr. Ayrault, from the select committee to which were referred the petitions for that purpose, reported a bill entitled, "An act in relation to the courts held in and for the county of Livingston," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 20.)

A bill was received from the Assembly for concurrence entitled, "An act to provide for the public printing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public printing.

A bill was also received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes for the year 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Fuller asked for and obtained leave to bring in a bill entitled, "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Cook asked for and obtained leave to bring in a bill entitled, "An act to amend section thirty-nine of title three of chapter twenty of the Revised Statutes, as applicable to the county of Saratoga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

Mr. Geddes gave notice that, at an early day, he would ask leave to introduce a bill to amend the act in relation to the judiciary, passed May 12, 1847.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Long Island Canal and Navigation Company.

By unanimous consent Mr. Bokee introduced a bill entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847," which was read the first time, and by unanimous

consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Mr. Bush offered a concurrent resolution in the words following, to wit :

*Resolved*, (if the Assembly concur,) That Seth C. Hawley, of the county of Erie, be, and he is hereby appointed, a commissioner of the code, pursuant to the fourth section of chapter fifty-nine of the laws of 1847, in the place of John A. Collier, resigned.

Mr. Smith moved to amend said resolution by striking out thereof the words "Seth C. Hawley," and inserting in lieu thereof the words "John C. Spencer," which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Fine

Mr. Floyd  
Mr. Smith

Mr. Tamblin  
Mr. Whallon

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FOR THE NEGATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Coffin

Mr. Cole  
Mr. Cook  
Mr. Cornwell  
Mr. Fox  
Mr. Frost  
Mr. Geddes  
Mr S. H. P. Hall  
Mr. W. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Wilkin

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The President then put the question upon agreeing to said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorize the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts now owing by said city," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the member elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bokee

Mr. Cook  
Mr. Fine  
Mr. Floyd

Mr. Johnson  
Mr. Lawrence  
Mr. Little

Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Bush,

*Ordered*, That the consideration of executive business be made the special order for Friday of each week, at 12 o'clock M.

Mr. Bush moved that the Senate do now go into secret session for the consideration of executive business, which motion was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Johnson
Mr. Bond	Mr. Cornwell	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Little
Mr. Burch	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Williams

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#### FOR THE NEGATIVE.

Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Fine	Mr. Smith	Mr. Whallon
Mr. Floyd		

7

After the consideration of executive business,

The Senate proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act in relation to the police justice in the village of Saratoga Springs," which report was agreed to by the Senate, and said bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 19, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The journal of yesterday was read and approved.

Mr. Cornwell presented the petition of citizens of Clyde, Wayne county, praying the passage of a law authorizing the construction of a railroad from Syracuse to Rochester on the most direct and eligible route, which was referred to the committee on railroads.

Mr. Cole presented the memorial of Gamaliel King and other citizens of Brooklyn, in favor of Washington Park, and for an equitable assessment of the costs thereof which was referred to the committee on the judiciary.

Mr. Ayrault presented the memorial of Geneva College asking for the amount due from the State and for the continuance of the appropriation of 1838, which was referred to the committee on literature.

Mr. Little presented the memorial of John Van Nostrand, and many other citizens of Brooklyn, in favor of Washington Park, and for an equitable assessment of the costs thereof, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of the Albany and West Stockbridge Railroad Company, which was referred to the committee on finance.

Mr. Johnson also presented the memorial of Caleb S. Woodhull and others, in relation to Washington Park in the city of Brooklyn, which was referred to the committee on the judiciary.

Mr. Johnson also presented the petition of Thomas W. Harney and others praying for legislative aid in establishing an agricultural college or school near the city of New-York under the superintendence of the American Institute, which was referred to the committee on agriculture.

Mr. Bokee presented the petition of James M. Gillespie and others of the city of New-York, for the establishment of an agricultural college or school and experimental farm near the city of New-York under the care of the American Institute, which was referred to the same committee.

Mr. Bokee also presented the memorial of John Dimon and many other citizens of Brooklyn in favor of Washington Park, and for an equitable assessment of the costs thereof, which was referred to the committee on the judiciary.

Mr. Hawley presented the petition of Wm. Howe, of Almond, Allegany county, praying for a law repealing all laws granting licenses to retail intoxicating liquors and to punish more severely persons

who violate the excise law, which was referred to the same committee.

Mr. Hawley also presented a petition of William Howe praying for a law to pay witnesses and jurors for attending criminal prosecutions, and also to pay jurors for attending to examine as to the necessity of laying out highways, and to compel their attendance, which was referred to the same committee.

Mr. Coffin, from the committee on poor laws, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the temporary relief of the poor in the county of Livingston, and such other counties as may adopt the provisions of this act,' passed May 14, 1845," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847," which was committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to extend the time for the collection of taxes for the year 1847," which was committed to the committee of the whole.

Mr. Martin, from the committee on canals, reported in favor of the passage of the bill entitled, "An act to remove certain obstructions below the ship lock at Black Rock," which was committed to the committee of the whole.

*(See Senate Bill No. 25.)*

Mr. Martin, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 22.)*

Mr. Fuller, from the same committee, reported adversely to the petition of Benjamin Barney praying relief for damages sustained by waters from the Erie canal, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act in relation to the police justice of the village of Saratoga Springs."

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit :

"An act to annex part of the town of Moreau to the town of Corinth;" also

"An act to amend an act entitled, 'An act to erect the town of South Valley in the county of Cattaraugus,' passed April 2, 1847;" which were committed to the committee of the whole.

The Assembly returned the bill entitled, "An act to provide for the filling of vacancies in the office of sheriff and other offices," with a message informing that they had passed the same with the amendments therewith delivered.

On motion of Mr. Cole,

*Ordered*, That said bill and amendments be referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Johnson asked for and obtained leave to bring in a bill entitled, "An act to incorporate the Long Island Canal and Navigation company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Mr. Clark presented the annual report of the managers of the State Lunatic Asylum, which was laid on the table.

(See Senate Doc. No. 20.)

A motion to print an extra number of copies of said report, was referred to the committee on public printing.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill making cities and villages liable for individual property destroyed by riot.

In pursuance of previous notice, Mr. Hawley asked for and obtained leave to bring in a bill entitled, "An act to subject to taxation certain debts owing by non-residents of the United States," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Tamblin moved that the Senate do now proceed to the further consideration of the concurrent resolution heretofore offered by him in relation to pensions, which motion was decided in the negative.

Mr. Tamblin offered the following concurrent resolutions, which were laid on the table:

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be respectfully requested to use their influence and best efforts to procure the passage of a law which shall extend and continue to the widows of certain officers and soldiers of the revolution who are now entitled to pensions under certain acts of Congress, and which laws are about to expire by their own limitation, for such further time as shall be deemed reasonable.

*Resolved*, (if the Assembly concur,) That his Excellency the Governor be, and is respectfully requested, to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Williams offered the following resolution, which was laid on the table:

*Whereas*, The Auburn and Rochester Railroad Company are now engaged making an embankment across the outlet of Cayuga Lake, therefore

*Resolved*, That the State Engineer and the Canal Commissioner having charge of the Cayuga and Seneca canal, be required to examine and report, within twenty days from the date hereof, whether in their opinion such embankment will tend to injuriously affect either the health or property of citizens residing on the borders of said lake.

The bill entitled, "An act in relation to the police justice of the village of Saratoga Springs," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Bokee, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847," and that the same be ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 20, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. J. N. Campbell.

The journal of yesterday was read and approved.

Mr. W. Hall presented the petition of William V. Brady and others, of the city of New-York, for the establishment of an agricultural college or school and experimental farm near the city of New-York under the care of the American Institute, which was referred to the committee on literature.

Mr. Cook presented the petition of L. Booth and others, inhabitants of the county of Saratoga, for the passage of a law compelling the banks to redeem their bills at par in the city of Albany or New-York, which was referred to the committee on banks and insurance companies.

Mr. Geddes presented the petition of H. Baldwin and executors of J. W. Baldwin, for the renewal of the charter of the dam, canal and locks on the Seneca river at Baldwinsville, which was referred to the committee on canals.

Mr. Wilkin, from the committee on the judiciary, reported adversely to the petition of Wm. Howe praying for the passage of a law to pay witnesses and jurors for attending criminal prosecutions, and also to pay jurors for attending to examine as to the necessity of laying out highways, and to compel their attendance, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Wilkin, from the same committee, reported adversely to the petition of William Howe praying for the passage of a law repealing all laws for granting licenses to retail intoxicating liquors, and to punish more severely persons who violate the excise laws, which report was laid on the table.

Mr. Wilkin, from the same committee, reported adversely to the passage of the bill entitled, "An act to amend the Revised Statutes relative to the duty of assessors in making assessments and correcting assessment rolls," which was committed to the committee of the whole.

(See Senate Bill No. 26.)

Mr. Wilkin, from the same committee, reported adversely to the passage of the bill entitled, "An act to protect the character of females," which was committed to the committee of the whole.

(See Senate Bill No. 24.)

Mr. Fuller, from the committee on canals, reported in writing adversely to the petition of Jonas Ingraham, praying for relief on account of damages sustained by breach of contract on the part of the State, on section number three of the Erie canal enlargement at Black Rock ; and also praying for compensation for materials and property taken by the canal officers and appropriated to the use of the State, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

(*See Senate Doc. No. 13.*)

M. Cook, from the committee on claims, to which was referred the petition for that purpose, reported in writing and asked for and obtained leave to report a bill entitled, "An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach, of the city of Albany, for the loss of the canal boat 'N. P. Stone, of Rochester,' and cargo;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

(*See Senate Doc. No. 12, and Senate Bill No. 27.*)

Mr. Cook, from the same committee, reported adversely to the petition of the board of supervisors of Cattaraugus county praying to be released from the payment of certain expenses for calling out the militia to put down an insurrection in said county, which report was laid on the table.

Mr. Fine, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act in relation to suits at law and in equity arising in the county of Orleans," which was recommended to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847."

A communication was received from Seth C. Hawley, esq., and read in the words following :

*Albany, Jan. 19, 1848.*

TO THE HON. THE SENATE :

I accept the appointment of "Commissioner of the Code," conferred upon me by the joint resolution of the Senate and Assembly, and shall enter immediately upon the discharge of the duties thereof.

Very respectfully, &c.,

SETH C. HAWLEY.

On motion of Mr. Johnson,

*Ordered*, That the petition and papers on file in the Senate for the incorporation of the Long Island Canal and Navigation Company, be taken therefrom and referred to the committee on canals.

Mr. Wilkin gave notice that he would, at some future day, ask leave to introduce a bill extending the time for collecting taxes in the town of Newburgh, county of Orange.

The bill entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847," coming up for a third reading,

Mr. Lawrence moved to recommit the same to the committee on the incorporation of cities and villages, which motion was decided in the negative.

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Burch	Mr. Geddes	
Mr. Ayrault	Mr. Clark	Mr. S. H. P. Hall	
Mr. Betts	Mr. Coffin	Mr. Little	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Tamblin	
Mr. Brownson	Mr. Fuller	Mr. Whallon	18

#### FOR THE NEGATIVE.

Mr. Frost	Mr. Lawrence	Mr. Wilkin	
Mr. Johnson	Mr. Smith		5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd from said committee, reported progress, and obtained leave to sit again.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled, 'An act authorising the sale of rights of pre-emption to real estate or chattels real, in certain cases,' passed November 22, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary,

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to incorporate a Gas Light Company in the village of Brooklyn,' passed April 18, 1825;" and Mr. Coffin, from said committee, reported the

said bill with amendments, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

## FRIDAY, 11 O'CLOCK, A. M., JANUARY 21, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The journal of yesterday was read and approved.

Mr. Floyd presented the petition of M. Brayton and others for an extension of the time to collect the taxes in the town of Western, Oneida county, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Fox presented the petition of citizens of the town of Sand-lake praying the extension of the time for the collection of taxes, which was referred to the same committee.

Mr. Fox also presented a similar petition from Henry B. Jones and others of the town of Berlin, Rensselaer county, which was referred to the same committee.

Mr. Hawley presented the petition of Reuben Robie and 247 other citizens of Steuben county, asking for a law taxing the personal estate of foreigners, which was referred to the committee on finance.

Mr. W. Hall presented the petition of the managers of the Hudson and Delaware Canal Company to have money refunded to said company, which was referred to the committee on claims.

Mr. Wilkin, from the committee on the judiciary, reported in favor of concurring with the Assembly in their amendments to the bill entitled, "An act to provide for the filling of vacancies in the office of sheriff and other offices," and also to the title thereof so as to read as follows: "An act to provide for the filling of vacancies in the office of sheriff," which was laid on the table.

On motion of Mr. Johnson,

*Ordered*, That the committee on Indian affairs be discharged from the further consideration of the petition of the First Christian party of Oneida Indians of Duck Creek, in the territory of Wisconsin, asking to be paid certain moneys on the sale of lands heretofore re-

leased to the State of New-York, and that the same, the Commissioners of the Land Office for information as to the facts stated in the petition, and other facts in their possession affecting the claim of the petitioners.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act entitled, 'An act to incorporate a Gas Light Company in the village of Brooklyn,' passed April 18, 1833."

Mr. Smith presented the report from the minority of the late board of inspectors of the Mount Pleasant State Prison, which was laid on the table.

(See Senate Doc. No. 17.)

A motion to print five times the usual number of copies of said report; was referred to the committee on public printing.

On motion of Mr. Smith,

*Ordered*, That the papers on file in this House in relation to the Clinton Monument Association, be taken therefrom and referred to the committee on charitable and religious societies.

On motion of Mr. Little,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the papers and petition relating to the claim of Jonas A. Hughston on file in that House, and that the same be referred to the committee on the judiciary.

On motion of Mr. Tamblin,

The Senate then proceeded to the consideration of the following concurrent resolution heretofore offered by him :

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be respectfully requested to use their influence and best efforts to procure the passage of a law which shall extend and continue to the widows of certain officers and soldiers of the revolution who are now entitled to pensions under certain acts of Congress, and which laws are about to expire by their own limitation, for such further time as shall be deemed reasonable.

*Resolved*, (if the Assembly concur,) That his Excellency the Governor be, and is respectfully requested, to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

The President put the question upon agreeing to said resolutions; and it was decided in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolutions to the Assembly, and request their concurrence therein.

In pursuance of previous notice,

Mr. Geddes asked for and obtained leave to bring in a bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate a Gas Light Company in the village of Brooklyn,' passed April 18, 1825," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cook	Mr. W. Hall	

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## FOR THE NEGATIVE.

Mr. Smith	1
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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. S. H. P. Hall,

The Senate then proceeded to the consideration of the report of the committee on the judiciary in favor of concurring with the Assembly in their amendments to the bill entitled, "An act to provide for the filling of vacancies in the office of sheriff and other offices," and also to the title thereof so as to read as follows : "An act to provide for the filling of vacancies in the office of sheriff," which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof, as follows :

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	

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## FOR THE NEGATIVE.

Mr. Floyd	Mr. Hawley	Mr. Tamblin	3
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*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and also to the title thereof, and have amended the same accordingly.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

By unanimous consent,

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the annual report of the managers of the State Lunatic Asylum for the use of the Legislature, and twenty-five hundred extra copies thereof for the use of the said managers, which report was agreed to by the Senate, a majority of all the members elected thereto voting in favor thereof.

Thereupon,

*Ordered*, That five times the usual number of copies of said report be printed for the use of the Legislature, and 2,500 extra copies thereof for the use of said managers.

By unanimous consent,

Mr. Brownson, from the same committee, reported in favor of printing five times the usual number of copies of the report from the minority of the late board of inspectors of the Mount Pleasant State Prison.

Mr. Cornwell moved to lay said report on the table, which motion was decided in the affirmative.

Afterwards Mr. S. H. P. Hall moved a reconsideration of the vote taken upon laying said report on the table, which motion was decided in the affirmative.

The President then again put the question upon the motion to lay said report on the table, and it was decided in the negative.

The President then put the question upon agreeing to the report of said committee, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Thereupon,

*Ordered*, That five times the usual number of copies of said report be printed.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported progress, and asked for leave to sit again.

Mr. Fuller moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to a select committee of seven, to consider and report complete.

Mr. Johnson moved that the Senate do now adjourn, which motion was decided in the affirmative.

Thereupon,

The Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 22, 1848.

The Senate met, pursuant to adjournment.

Prayer by the Rev. J. N. Campbell.

The journal of yesterday was read and approved.

Mr. Floyd presented the petition of citizens of Ontario county, praying that the funds and securities in the hands of the clerk of the court of appeals may be deposited in the several counties of this State, which was referred to the committee on the judiciary.

Mr. S. H. P. Hall presented the petition of the supervisors of the county of Broome, to revive the distinction between town and county poor in said county, which was referred to the committee on poor laws.

Mr. Lawrence presented the petition of T. Smith and others, praying for legislative aid in establishing a college or school and experimental farm near the city of New-York under the superintendence of the American Institute, which was referred to the committee on agriculture.

Mr. Johnson presented a similar petition of D. McCurdy and others, which was referred to the same committee.

Mr. Johnson presented the remonstrance of five hundred and twenty-three citizens of the city of Brooklyn against any amendment or repeal of the law authorising the payment for Washington Park in said city, which was referred to the committee on the judiciary.

Mr. Burch presented the petition of C. Gardiner and others, directors of the Johnstown and Fultonville Plank Road Company to authorize them to build a bridge, which was referred to the committee on the judiciary.

Mr. Betts presented the petition of the president and directors of the western branch of the Schoharie Turnpike Road for the passage of a law authorising the removal of one of their turnpike gates, which was referred to the committee on roads and bridges.

Mr. Fine, from the committee on the judiciary, reported adversely to the several petitions of Jeremiah Johnson and others praying for an amendment of the law passed on the 27th of April, 1847, to provide for the opening of Washington Park on Fort Greene in the city of Brooklyn, which report was laid on the table.

On motion of Mr. Martin,

*Ordered*, That the petition of the board of supervisors of Cattaraugus county praying to be released from the payment of certain expenses for calling out the militia to put down an insurrection in said county, together with the report of the committee on claims thereon, be recommitted to the said committee.

On motion of Mr. Cook,

**Ordered**, That the committee on claims be discharged from the further consideration of the petition of the managers of the Hudson and Delaware Canal Company, and that the same be referred to the committee on finance.

The Assembly returned the bill entitled, "An act to provide for the filling of vacancies in the office of sheriff," which was delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the city of Troy," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

A bill was also received from the Assembly for concurrence entitled, "An act making appropriations for the canal debt, and for the support and maintenance of the canals for the nine months ending the 30th of September, 1848," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Resolutions were received from the Assembly for concurrence, in the words following, to wit :

**Resolved**, That we cordially approve the course of the late Congress in passing appropriation bills, which are constitutional and necessary for improving the navigation of rivers and lake harbors; but we as decidedly disapprove the course taken by the President, in withholding his assent to appropriations so important and necessary for the protection of the lives and property of our citizens.

**Resolved**, That inasmuch as the General Government collect a tax from the importations consumed in the country, and the State a toll upon the exports and imports of the canals, it is unwise as well as unjust to levy a further tax upon the people, in the form of a tonnage duty upon ships and vessels entering the ports of this state.

**Resolved**, That although it may be constitutional for this State, with the consent of Congress, to levy tonnage duties, as is recommended in the *quasi veto* message of the President, submitted to the House of Representatives on the fifteenth of December last, yet we regard all his efforts to avoid the plain constitutional duty imposed upon him, as unsound and evasive, opposed to the interests of the people at large, and against the uniform practice of the government.

**Resolved**, That it is the true policy of this State to adopt every practicable means, consistent with the provisions of the new Constitution, to cheapen the transportation of its domestic commerce; and should it become necessary, under any circumstances, to levy a tonnage duty for the improvement of our harbors and rivers, we should regard it as a clog upon its commerce, especially upon the surplus products of the West, which are so liable to be diverted from the Erie canal, through rival channels, and thereby deprive the State of the revenue legitimately belonging to it.

**Resolved**, That we cordially approve the "declaration of sentiments," passed in the form of resolutions at the Harbor and River Convention, held at Chicago in July, 1847, and hereby adopt them.

as the true constitutional ground on which to base our claims for future appropriations from the national treasury for national objects.

*Resolved*, (if the Senate concur,) That, upon the foregoing resolutions being adopted, his Excellency the Governor be respectfully requested to forward a copy of the same to each of the Senators and Representatives in Congress from this State.

### Declaration of Sentiments.

The convention submit to their fellow citizens and to the Federal Government the following propositions, as expressing their own sentiments and those of their constituents :

1. That the Constitution of the United States was formed by practical men for practical purposes, declared in its preamble "to provide for the common defence ; to promote the general welfare, and to secure the blessings of liberty," and was mainly designed to create a government whose functions should and would be adequate to the protection of the common interests of all the states or of two or more of them, which could not be maintained by the action of the separated states. That in strict accordance with this object, the revenues derived from commerce were surrendered to the general government, with the express understanding that they should be applied to the promotion of those common interests.

2. That among these common interests and objects were—1st. Foreign commerce, to the regulation of which the powers of the states severally were confessedly inadequate ; and 2d. Internal trade and navigation, wherever the concurrence of two or more states was necessary to its preservation, or where the expense of its maintenance should be equitably borne by two or more states, and where of course those states must necessarily have a voice in its regulation ; and hence resulted the constitutional grant of power to Congress "to regulate commerce with foreign nations and among the states."

3. That being thus possessed both of the means and of the power which were denied to the states respectively, Congress became obligated by every consideration of good faith and common justice, to cherish and increase both the kinds of commerce thus committed to its care, by expanding and extending the means of conducting them, and of affording them all those facilities and all that protection which the states individually would have afforded, had the revenue and authority been left to them.

4. That this obligation has ever been recognized from the foundation of the government, and has been fulfilled partially by erecting light-houses, building piers for harbors, break-waters and sea-walls, removing obstructions in rivers, and providing other facilities for the commerce carried on from the ports of the Atlantic coast ; and the same obligations have been fulfilled to a much less extent in providing similar facilities for a "commerce among the states," and the principle has been most emphatically acknowledged to embrace the western lakes and rivers, by appropriations for numerous light-houses

upon them, which appropriations have never been questioned in Congress as wanting constitutional authority.

5. That thus, by a series of acts which have received the sanction of the people of the United States, and of every department of the Federal Government, under all administrations, the common understanding of the intent and the objects of the framers of the Constitution, in granting to Congress the power to regulate commerce, has been manifested, and has been confirmed by the people, and this understanding has become as much a part of that instrument as any one of its most explicit provisions.

6. That the power to "regulate commerce with foreign nations, and among the states, and with the Indian tribes," is on its face so palpably applicable in its whole extent to each of the subjects enumerated, equally and in the same manner, as to render any attempts to make it more explicit, idle and futile; and that those who admit the rightful application of the power to foreign commerce, by facilitating and protecting its operations, by improving harbors and clearing out navigable rivers, cannot consistently deny that it equally authorises similar facilities to "commerce among the states."

7. That "foreign commerce" is dependent upon internal trade for the distribution of its freights, and for the means of paying for them, so that whatever improves the one advances the other, and they are so inseparable that they should be regarded as one. That an export from the American shore to a British port in Canada, is as much foreign commerce as if it had been directly to Liverpool, and that an exportation to Liverpool neither gains nor loses any of the characteristics of foreign commerce by the directness or circuitry of the route, whether it passes through a custom-house on the British side of the St. Lawrence, or descends through that river and its connecting canals to the ocean, or whether it passes along the artificial communications and natural streams of any of the states to the Atlantic.

8. That the general government, by extending its jurisdiction over lakes and navigable rivers, subjecting them to the same laws which prevail on the ocean, and on its bays and ports, not only for purposes of revenue, but to give security to life and property, by the regulations of steamboats, has precluded itself from denying that jurisdiction for any other legitimate regulation of commerce. If it has power to control and restrain, it must have the same power to protect, assist and facilitate; and if it denies the jurisdiction in the one mode of action, it should renounce it in the other.

9. That in consequence of the peculiar dangers of the navigation of the lakes, arising from the want of harbors for shelter, and of the western rivers from snags and other obstructions, there are no parts of the United States more emphatically demanding the prompt and continued care of the government to diminish those dangers, and to protect the property and life exposed to them; and that any one who can regard provisions for those purposes as sectional, local and not national, must be wanting in information of the extent of the com-

merce carried on upon those lakes and rivers, and of the amount of teeming population occupied or interested in that navigation.

10. That having regard to the relative population or to the extent of commerce, the appropriations heretofore made for the interior rivers and lakes and the streams connecting them with the ocean, have not been in a just and fair proportion to those made for the benefit of the Atlantic coast; and that the time has arrived when this injustice should be corrected in the only mode in which it can be done by the united, determined and persevering efforts of those whose rights have been overlooked.

11. That independent of the right to protection of "commerce among the states," the right of "common defence" guaranteed by the constitution, entitles those citizens inhabiting the country bordering upon the interior lakes and rivers, to such safe and convenient harbors as will afford shelter to a navy, whenever it shall be rendered necessary by hostilities with our neighbors, and that the construction of such harbors cannot safely be delayed to the time which will demand their immediate use.

12. That the argument most commonly urged against appropriations to protect "commerce among the states," and to defend the inhabitants of the frontier, that they invite sectional combinations, to insure success to many unworthy objects, is founded on a practical distrust of the republican principles of our government, and the capacity of the people to select competent and honest representatives. That it may be urged with equal force against legislation upon any other subject, involving various and extensive interests. That a just appreciation of the rights and interests of our fellow citizens, in every quarter of the Union, disclaiming selfish and local purposes, will lead intelligent representatives to such a distribution of the means of the treasury, upon a system of moderation and ultimate equality, as will in time meet the most urgent wants of all, and prevent those jealousies and suspicions which threaten the most serious danger to our confederacy.

13. That we are utterly incapable of perceiving the difference between a harbor for shelter and a harbor for commerce, and suppose that a mole or pier which will afford a safe anchorage and protection to a vessel against a storm, must necessarily improve such harbor and adapt it to commercial purposes.

14. That the imposts on foreign goods and the public lands being the common heritage of all our citizens, so long as these resources continue, the imposition of any special burden on any portion of the people, to obtain the means of accomplishing objects equally within the duty and the competency of the general government, would be unjust and oppressive.

15. That we disavow all and every attempt to connect the cause of internal trade and "commerce among the states," with the fortunes of any political party; but that we mean to place that cause upon such immutable principles of truth, justice and constitutional duty, as shall command the respect of all parties, and the deference of all candidates for public favor.

On motion of Mr. Fine,

*Ordered*, That the said resolutions, together with the resolutions offered in the Senate on the same subject, be made the special order for Wednesday next.

On motion of Mr. Cornwell,

*Resolved*, That the Clerk be directed to procure ten times the usual number of diagrams of the Senate and Assembly chambers, to be printed for the use of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor;" and Mr. Floyd, from said committee, reported the said bill with amendments, and with the title altered by adding thereto the words "Engineer service."

On motion of Mr. Cornwell,

*Ordered*, That the usual number of copies of said bill as amended by said committee be printed, and made the special order for Thursday next.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to extend the time for the collection of taxes for the year 1847;" and Mr. Adams, from said committee, reported said bill, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

By unanimous consent said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Coffin	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly transmitted the petition of Jonas A. Hughston, praying for an increase of compensation for services rendered by him in pursuance of a request of the Senate, which was referred to the committee on the judiciary.

Then the Senate adjourned until 11 o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M.,-JANUARY 24, 1848.

The Senate met pursuant to adjournment.

The journal of Saturday was read and approved.

Mr. Hawley presented the petition of Ira Davenport and 135 others, citizens of Steuben county, praying for the passage of a law taxing non-residents of the United States for certain debts due them from citizens of this State, which was referred to the committee on finance.

Mr. Coffin presented the petition of the trustees of the Reformed Dutch Church of Poughkeepsie, asking to be exempted from the operations of the act entitled, "An act to equalize taxation," passed May 13, 1846, which was referred to the committee on the judiciary.

Mr. Coffin also presented the petition of the printers of the village of Poughkeepsie in relation to the public printing, which was referred to the committee on public printing.

Mr. Bond presented the petition of the board of supervisors of the county of Oswego for the passage of a law making the office of county clerk a salaried office, and also for the passage of a law providing for the election of two local officers to discharge the office of county judge and surrogate, in case of their inability to act or a vacancy, which was referred to the committee on the judiciary.

Mr. Clark presented the petition of the mayor and common council of the city of Utica for an amendment of the charter of said city, which was referred to the committee on the incorporation of cities and villages.

Mr. Cook presented the petition of N. B. Doe for relief in relation to certain lands conveyed to him by the State, which was referred the Commissioners of the Land Office for their report thereon.

Mr. Cook also presented the petition of the inhabitants of the village of Saratoga Springs for the passage of a law compelling the banks of this State to redeem their notes at par in New-York or Albany, which was referred to the committee on banks and insurance companies.

Mr. Johnson presented the petition to extend the time for the commencement and completion of the Schenectady and Catskill railroad, which was referred to the committee on railroads.

Mr. Burch presented the petition of citizens of Little Falls to change the name of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Johnson presented the remonstrance of 162 citizens of the city of Brooklyn against any amendment to the act to provide for the

opening of Washington Park in said city, which was laid on the table.

Mr. Smith, from the committee on roads and bridges, to which was referred the petition of the president and directors of the western branch of the Schoharie turnpike road, for that purpose, reported a bill entitled, "An act authorising the removal of a turnpike gate in the town of Cobleskill," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Coffin, from the committee on poor laws, to which was referred the bill entitled, "An act to amend section thirty-nine of title three of chapter twenty of the Revised Statutes as applicable to the county of Saratoga," reported in favor of the passage thereof, with amendments, and with the title thereof altered so as to read as follows: "An act to amend an act entitled, 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the same,' passed April 7, 1842," which was committed to the committee of the whole.

Mr. Cornwell, from the committee on railroads, to which was referred the petition of Erastus Corning and others for that purpose, reported in writing, and asked for and obtained leave to report a bill entitled, "An act to construct a railroad from Albany to Cohoes," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 41, and Senate Doc. No. 15.)*

A motion to print five times the usual number of copies of said report, was referred to the committee on public printing.

Mr. Fuller, from the committee on canals, reported in favor of the passage of a bill from the Assembly entitled, "An act making appropriations for the canal debts, and for the support and maintenance of the canals for the nine months ending the 30th of September, 1848," which was committed to the committee of the whole.

The Assembly returned the concurrent resolutions relative to pensions, with a message informing that they had concurred therein without amendment.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the expenses of government for nine months of the fiscal year ending the 30th September, 1848," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Ayrault asked for and obtained leave to bring in a bill entitled, "An act amending an act passed April 18, 1838, entitled, 'An act to authorize the business of banking,'" which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Martin,

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of the supervisors of Cattaraugus county, and that the same be referred to the committee on finance.

On motion of Mr. Floyd,

*Resolved*, That the committee on the judiciary be directed to inquire and report what notices or other advertisements, now required by law to be published in the State paper, may be dispensed with altogether; and also what notice or advertisement now published as aforesaid, may be published in the several counties of the State with advantage to the public welfare.

On motion of Mr. Bush,

The Senate then proceeded to the consideration of a motion heretofore made to reconsider the vote taken upon the resolution offered by Mr. Fine, designating the seats of Senators.

The President put the question upon agreeing to said motion to reconsider said vote, which was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokes  
Mr. Bond  
Mr. Brownson

Mr. Bush  
Mr. Cole  
Mr. Cornwell

Mr. Martin  
Mr. Smith  
Mr. Williams

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#### FOR THE NEGATIVE.

Mr. Adams  
Mr. Betts  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cook  
Mr. Fine

Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Tamblin  
Mr. Whallon  
Mr. Williams

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The Senate then, pursuant to order, spent some time in committee of the whole upon the bill from the Assembly entitled, "An act making appropriations for the canal debts and for the support and maintenance of the canals for the nine months ending the 30th of September, 1848;" and Mr. Fine, from said committee, reported said bill, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

On motion of Mr. Fuller, and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the member elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Boken	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act authorizing Patrick Walsh to convey certain real estate;" and Mr. Little, from said committee, reported said bill with an amendment, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

On motion of Mr. Fine, and by unanimous consent,

The said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. S. H. P. Hall
Mr. Bokee	Mr. Cook	Mr. Hawley
Mr. Bond	Mr. Cornwell	Mr. Johnson
Mr. Brownson	Mr. Fine	Mr. Little
Mr. Burch	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act regulating the time of payment of salaries to clerks employed in the office of the clerk of the court of appeals;" and Mr. Bond, from said committee, reported said bill, which report, by unanimous consent, was then considered and agreed to, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act in relation to the city of Troy;" and Mr. Fuller, from said committee, reported said bill with amendments.

On motion of Mr. Cornwell,

The Senate then proceeded to the consideration of the amendments heretofore offered by him to the 40th and 45th standing rules of the Senate, which were agreed to by the Senate in the words following, to wit:

40. When a bill shall be reported by a committee of the whole, and not laid upon the table or postponed, or by any other committee, (except the committee on engrossed bills,) and not committed to a committee of the whole, laid on the table, or postponed, the question shall be: "Shall the report be agreed to?" and when such report shall be favorable and agreed to, or when a bill shall be twice read, and not committed, laid on the table, or postponed, the question shall be: "Shall such bill be engrossed and read a third time?" Upon such question, the merits of the bill or resolution may be debated, and a motion to commit or recommit, to lay on the table or to postpone to a future day, shall be in order. If such question shall be decided in the negative, such bill shall be deemed lost; but if it be decided in the affirmative, such bill shall, when the Senate shall order, be read a third time, and the final question shall be taken thereon, immediately after such third reading, and without debate.

45. Every report of a committee upon a bill which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with the bill in the place in which the bill was placed thereon, and subject to the provisions of the third rule; but if a bill is made the special order of any day, and shall on that day be reported by a committee of the whole, the report may be forthwith considered unless the Senate shall otherwise order; and if not finished on that day, the bill with the report shall retain its place on the general orders, unless made the special order for another day, and the merits of a bill shall not be considered except under the head of general or special orders, unless by unanimous consent.

By unanimous consent,

Mr. Floyd moved to amend the 30th standing rule of the Senate, so as to make the same read as follows:

30. Whenever the Senate shall determine by a vote that "the public welfare requires secrecy," the President shall direct all persons except the members and clerk of the Senate to withdraw, and every member and officer of the Senate shall keep secret all such matters, proceedings and things whereof secrecy shall be enjoined by order of the Senate. But the doors shall not be closed while the Senate is considering communications from the Governor nominating persons to office.

Mr. Floyd having called for a decision of the question upon his said motion,

The President put the question upon agreeing to the first branch of said rule as proposed to be amended, which was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Martin	
Mr. Betts	Mr. S. H. P. Hall	Mr. Smith	
Mr. Fine	Mr. Hawley	Mr. Whallon	9

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. Fuller	
Mr. Bond	Mr. Cook	Mr. Johnson	
Mr. Burch	Mr. Cornwell	Mr. Lawrence	
Mr. Bush	Mr. Fox	Mr. Little	
Mr. Coffin	Mr. Frost	Mr. Wilkin	15

The President then put the question upon agreeing to the second branch of said rule as proposed to be amended, which was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith	
Mr. Betts	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Fine	Mr. Hawley		8

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson	
Mr. Bond	Mr. Cook	Mr. Lawrence	
Mr. Burch	Mr. Cornwell	Mr. Little	
Mr. Bush	Mr. Fox	Mr. Martin	
Mr. Coffin	Mr. Frost	Mr. Wilkin	

Then the Senate adjourned until eleven o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., JANUARY 25, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Treadwell presented the petition of 234 inhabitants of the town of Butternuts, Otsego county, praying for the division of said town, which was referred to the committee on the division of towns and counties.

Mr. Fox presented the petition of H. C. Arnold and others of Sandlake for a division of said town, which was referred to the same committee.

Mr. Johnson presented the remonstrance of N. B. Morse and 700 others against the repeal or amendment of the law to provide for the opening of Washington Park in the city of Brooklyn, which was laid on the table.

Mr. Bokee presented five several petitions of inhabitants of the city of Brooklyn in favor of Washington Park and for an equitable assessment of its cost, which was laid on the table.

Mr. Bond presented the memorial of the Niagara River Hydraulic Company, which was referred to the committee on canals.

Mr. Fine presented a petition for a railroad from Cohoes to Albany, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to relieve the reformed Dutch Church of Poughkeepsie from the operation of an act entitled, 'An act to equalize taxation,' passed May 12, 1846," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 30.)

Mr. Wilkin, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which Henry Stafford died seized to Mary Stafford," which was committed to a committee of the whole.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the report made by Mr. Cornwell from the committee on railroads, upon the petition for a railroad from Albany to Cohoes, which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Thereupon,

*Ordered*, That five times the usual number of copies of said report be printed.

Mr. Little, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Clinton Monument Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

(See Senate Bill No. 33.)

Mr. Lawrence, from the committee on finance, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act making appropriations for the expenses of government for nine months of the fiscal year ending the 30th September, 1848," which was committed to the committee of the whole.

On motion of Mr. Lawrence, and by unanimous consent,

*Ordered*, That this bill be made the special order of to-day.

Mr. Fine, from the committee on the judiciary, reported in writing adversely to the passage of a bill entitled, "An act for the further protection of personal liberty," which report was laid on the table.

(See Senate Doc. No. 14, and Senate Bill No. 31.)

On motion of Mr. Fuller, and by unanimous consent,

*Ordered*, That five times the usual number of copies of said report be printed.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act regulating the time of payment of salaries to the clerks employed in the office of the clerk of the court of appeals."

On motion of Mr. Bokee,

*Ordered*, That the report of the committee on the judiciary upon the several petitions of Jeremiah Johnson and others for an amendment of the law to provide for the laying out of Washington Park in the city of Brooklyn, be taken from the table and referred to a select committee.

*Ordered*, That Mr. Clark, Mr. Whallon and Mr. Lawrence be said committee.

A resolution was received from the Assembly for concurrence, which was read and laid on the table, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Secretary of State be, and he is authorized to deposit in the libraries of the State Agricultural Society and of the American Institute, copies of the Session Laws and legislative documents, and take receipts of their respective librarians therefor.

On motion of Mr. Martin,

*Resolved*, That the Comptroller furnish the Clerk of the Senate with a copy of the accounts and vouchers thereof as paid to the sheriff of Cattaraugus county under the act of May 10, 1845, chapter 177, and also the amount paid by said county under said act, and the balance now due the State thereon.

On motion of Mr. Smith,

*Ordered*, That the petition of the president and faculty of St. Johns college, be taken from the files and referred to the committee on finance.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill from the Assembly entitled, "An act making appropriations for the expenses of government for nine months of the fiscal year ending the 30th September, 1848;" and Mr. Ayrault, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

On motion of Mr. Fox,

The Senate then proceeded to the consideration of the report of the committee of the whole upon the bill from the Assembly entitled, "An act in relation to the city of Troy," heretofore made, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Buffalo Gas Company;" and Mr. Fox, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to appoint a superintendent of common schools of the city of Brooklyn;" and Mr. Frost, from said committee, reported said bill, which report was agreed to by the Senate and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to revive and amend an act entitled, 'An act to incorporate the Rome Academy;'" and Mr. Whallon, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which Henry Stafford died seized to Mary Stafford;" and Mr. Burch, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to annex a part of the town of Moreau to the town of Corinth;" and Mr. Martin, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

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WEDNESDAY, 11 O'CLOCK, A. M., JANUARY 26, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Treadwell presented two several petitions of citizens of Rensselaerville, Albany county, for the repeal or modification of the law passed in 1847 relative to the transportation of convicts to the State prisons, which was referred to the committee on State prisons.

Mr. Hawley presented the petition of John Richardson, jr., and 160 other citizens of Steuben county, for the passage of a law to tax the personal property of non-residents of the United States, which was referred to the committee on finance.

Mr. Cole presented the petition of Charles Hanford, praying for the passage of a law authorizing the Canal Commissioners to audit and arrange his claims under a canal contract and for extra work, which was referred to the committee on claims.

Mr. Cook presented the petition of Theodore Cudney praying for the passage of a law to change his name, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of the president of the Syracuse and Utica Railroad Company for the repeal of the law passed December 13, 1847, entitled, "An act requiring compensation for causing death by wrongful act, neglect or default," which was referred to the committee on grievances.

Mr. Geddes also presented the petition of inhabitants of the county of Onondaga for an alteration of the law passed February 12, 1847, so as to prevent the application of library money to the payment of teachers' wages, which was referred to the committee on literature.

Mr. Johnson presented the remonstrance of Josiah Hall and others, of the city of Brooklyn, against any alteration of the law to provide for the opening of Washington Park in said city, which was referred to the select committee appointed on that subject.

Mr. Bokes presented two several memorials of the citizens of Brooklyn in favor of Washington Park and for a more equitable assessment of its cost, which was referred to the same committee.

Mr. Cornwell presented the petition of citizens of Wayne county for the incorporation of a company to construct a railroad from Syracuse to Rochester on the most eligible route, which was referred to the committee on railroads.

Mr. Burch presented the remonstrance of Joseph Ritter and others, against the passage of the bill to confirm the acts of Adam Smith as commissioner of highways, which was referred to the committee of the whole when upon said bill.

Mr. Burch also presented the petition of Meriah Dempsey praying that the State may release to her sixty-five acres of land escheated, situate in Litchfield, which was referred to the committee on the judiciary.

Mr. Burch also presented the petition of T. R. Horton and others to repeal or modify the law passed December 15, 1847, relative to the transportation of convicts to the State prisons, which was referred to the committee on State prisons.

Mr. Burch also presented a similar petition of D. B. Hager and others, which was referred to the same committee.

Mr. Cornwell, from the committee on railroads, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole

*(See Senate Bill No. 38.)*

Mr. Geddes, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 39.)*

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of the bill entitled, "An act amending an act passed April 18, 1838, entitled, 'An act to authorise the business of banking,'" which was committed to the committee of the whole.

*(See Senate Bill No. 40.)*

A motion to print five times the usual number of copies of said bill, was referred to the committee on public printing.

The fourteenth annual report of the Bowery Savings Bank was received, and laid on the table.

On motion of Mr. Clark,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the papers relating to the claim of the heirs of Thomas Mott, and that the same be referred to the committee on claims.

On motion of Mr. Bush,

*Ordered*, That the petition and papers of Jabez Mosher in relation to the estate of Margaret McLeland, be taken from the files of the Senate and referred to the committee on the judiciary.

The bill from the Assembly entitled, "An act in relation to the city of Troy," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook		

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The bill from the Assembly entitled, "An act making appropriations for the expenses of government for the nine months of the fiscal year ending the 30th September, 1848," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell

Mr. Clark  
Mr. Coffin  
Mr. Cole

Mr. Geddes  
Mr. S. H. P. Hall

Mr. Whallon  
Mr. Williams

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*Ordered*, That the Clerk return said bills to the Assembly, and inform them that the Senate have passed the same severally with the amendments therewith delivered.

The bill entitled, "An act regulating the time of payment of salaries to clerks employed in the office of the clerk of the court of appeals," coming up for its third reading,

Mr. Smith moved the indefinite postponement thereof, which motion was decided in the affirmative.

The bill from the Assembly entitled, "An act to appoint a superintendent of common schools of the city Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

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The bill from the Assembly entitled, "An act to revive and amend an act entitled, 'An act to incorporate the Rome Academy,' " was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

28

The bill from the Assembly entitled, "An act to release the interest of the State in certain real estate of which Henry Stafford died seised to Mary Stafford," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin		

25

The bill from the Assembly entitled, "An act to annex a part of the town of Moreau to the town of Corinth," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Williams
Mr. Cole	Mr. Johnson	

26

*Ordered*, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then, pursuant to order, proceeded to the consideration of the concurrent resolutions relative to the improvement of harbors.

By unanimous consent,

Mr. Lawrence offered the following concurrent resolution, which was read and laid on the table :

*Resolved*, That the Constitution has entrusted to the General Government not only the regulation of commerce with foreign nations and among the several states, but also the common defence and

general welfare of the nation. That a faithful execution of these trusts further requires the making of such improvements to the obstructed navigation of important rivers within our country, as will facilitate the conveyance of munitions of war, foster the union of the states, aid their mutual intercourse, and insure a cheap and speedy transit of their produce to profitable markets. And in our right as a State, that, in a spirit of compromise, having yielded up vast revenues to secure practically the reciprocal benefits promised from the Federal Union, we call upon the General Government to fulfil the duties thus confided to it.

Mr. Fine moved to substitute the concurrent resolution heretofore offered by him for those received from the Assembly, which motion was decided in the affirmative.

Afterwards,

Mr. Cornwell moved a reconsideration of the vote taken upon said motion of Mr. Fine, which motion was laid on the table.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Buffalo Gas Company," and Mr. Fox, from said committee, reported progress, and obtained leave to sit again.

Then the Senate adjourned until eleven o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., JANUARY 27, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The journal of yesterday was read and approved.

Mr. Floyd presented the remonstrance of William Partridge and 469 others against any alteration or repeal of the law in relation to the opening of Washington Park in the city of Brooklyn, which was referred to the select committee having that subject in charge.

Mr. Floyd also presented three several petitions from citizens of Brooklyn in favor of Washington Park and for an equitable assessment of its costs, which were referred to the same committee.

Mr. S. H. P. Hall presented a petition of Charles B. Perry, asking the passage of an act to authorise the agent of the Auburn prison to embank and fill up certain flowed lands on the Owasco outlet in the village of Auburn, which was referred to the committee on State prisons.

Mr. Bond presented the petition of John J. Knox and others, asking that an act of appropriation may be passed continuing to Hamilton College for the present and the coming year the sum of \$3,000, which was referred to the committee on literature.

Mr. Johnson presented the petition of citizens of New-York and Richmond counties for a ferry between New-York and Staten Island, which was referred to the committee on commerce and navigation.

Mr. Johnson also presented the petition of Francis Englishbee for an amendment of a certain joint resolution, which was referred to the committee on the judiciary.

Mr. Burch presented the petition of T. B. Mitchell and 160 others for a law allowing sheriffs compensation for attending courts, which was referred to the committee on the judiciary.

Mr. Cook, from the committee on claims, reported adversely to the petition of John Whitehead, which report was laid on the table.

Mr. Adams, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act authorising incorporated banks to reduce their capital," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Mr. Fuller gave notice that, at some future day, he would ask leave to introduce a bill authorising the Supervisors of Monroe county to provide and maintain a surrogate's office in said county.

On motion of Mr. Clark,

*Ordered*, That the papers relating to the claim of William Bull for damages, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Fuller,

The Senate then again proceeded to the further consideration of the several resolutions in relation to the improvement of harbors.

The question being upon the motion made yesterday by Mr. Cornwell to reconsider the vote taken upon the motion made by Mr. Fine to substitute the resolutions heretofore offered by him for the resolutions received from the Assembly,

The President put the question upon agreeing to said motion of Mr. Cornwell, and it was decided in the affirmative.

Mr. Fine then withdrew his said motion to substitute said resolutions heretofore offered by him for the resolutions received from the Assembly, and moved the adoption of his said resolutions.

By unanimous consent,

Mr. Coffin then offered the following resolution, which was read and laid on the table :

*Resolved*, That by means of imposts on our imports and canal tolls on our products, our trade is too much burthened to bear a further duty on tonnage as proposed in the President's message ; that such duty would lessen the revenue from our canals, and divert the products of the west to rival channels, and injuriously affect the interests of our people, and the prosperity of the State.

*Ordered*, That the several resolutions upon said subject be printed, and made the special order for to-morrow.

(See Senate Doc's No. 34, 35, 36, 37.)

The Senate then, pursuant to order, proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor," heretofore made, which report was agreed to with amendments, and with the title of said bill altered so as to read as follows: 'An act in relation to the office of State Engineer and Surveyor, and the Engineer department,' " and said bill ordered to be engrossed for a third reading.

The Senate then again spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Buffalo Gas Company;" and Mr. Fox, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to provide for the incorporation of bridge companies;" and Mr. Fine, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to erect the town of South Valley in the county of Cattaraugus,' passed April 2, 1847;" and Mr. Burch, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to pay Benjamin D. Quigg for arresting a fugitive from justice;" and Mr. Williams, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the temporary relief of the poor in the county of Livingston, and such other counties as may adopt the provisions of this act,' passed May 14, 1845;" and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act confirming the official acts of Adam Smith, a commissioner of highways of the town of Manheim;" and Mr. Fuller, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the courts held in and for the county of Livingston;" and Mr. Lawrence, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered engrossed for a third reading.

The Assembly returned the bill entitled, "An act in relation to the city of Troy," also the bill entitled, "An act making appropriations for the expenses of government for nine months of the fiscal year ending the 30th of September, 1848," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was also received from the Assembly for concurrence entitled, "An act to provide for warming and ventilating the Capitol," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

A resolution was received from the Assembly for concurrence, as follows, which was read and laid on the table :

*Resolved*, (if the Senate concur,) That the usual number to be printed of bills reported by committees of the Senate and Assembly, be five hundred.

A message was received from the Assembly requesting that the papers on the files of the Senate relating to the claim of John Walrath and others, be taken therefrom and transmitted to that House.

*Ordered*, That the Clerk transmit said papers, in pursuance of said request.

The Senate then adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK, A. M., JANUARY 28, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kip.

The journal of Saturday was read and approved.

Mr. Floyd presented two several remonstrances of inhabitants of Brooklyn against the repeal or alteration of the act for opening Washington Park, which were referred to the select committee having that matter in charge.

Mr. Floyd also presented the petition of several citizens of Brooklyn in favor of Washington Park, which were referred to the same committee.

Mr. Johnson presented the memorial of the Prison Association of New-York, which was referred to the committee on State prisons.

Mr. Fuller presented the petition of the trustees of Brooklyn Collegiate Institute for an appropriation to purchase books, &c., which was referred to the committee on literature.

Mr. Clark presented the petition of Philip Lombard and others, praying that the State will relinquish the right of the people by escheat to a lot of land in Oneida county, which was referred to the committee on the judiciary.

Mr. Smith presented the petition of Joseph Walker and others, inhabitants of Westchester county, praying aid from the Legislature for the establishment of a college or school under the care of the American Institute near the city of New-York, which was referred to the committee on agriculture.

Mr. Frost presented a similar petition from T. Winslow and others, which was referred to the same committee.

Mr. Geddes, from the committee on roads and bridges, to which was referred a petition for that purpose, reported a bill entitled, "An act to legalize the acts of the commissioners of high ways of the town of Lisle in the county of Broome in laying open the line of the Susquehannah and Bath Turnpike," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Treadwell, from the committee on public buildings, reported in favor of the passage of the Assembly bill entitled, "An act providing for warming and ventilating the Capitol," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, to which was referred the petitions for that purpose, reported a bill entitled, "An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands," which was read the first time, and

by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills, entitled as follows :

"An act in relation to the office of State Engineer and Surveyor and the Engineer department ;" also

"An act in relation to the courts held in and for the county of Livingston," which were severally ordered to a third reading.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the bill entitled, "An act amending an act passed April 18, 1838, entitled, 'An act to authorise the business of banking,'" which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Thereupon,

*Ordered*, That five times the usual number of copies of said bill be printed.

Mr. Brownson, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for the public printing."

Mr. Cook moved to lay the report of said committee upon the table, which motion was decided in the negative.

Mr. Tamblin then moved to commit said bill to the committee of the whole, which motion was also decided in the negative.

The President then put the question on agreeing to the report, which was agreed to, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin		

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#### FOR THE NEGATIVE.

Mr. Cook	Mr. Frost	Mr. Treadwell	3
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Thereupon,

*Resolved*, That the Senate do non-concur in the the passage of said bill.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An

act to change the name of Theodore Cudney to Theodore C. Perquay," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole

A bill was received from the Assembly entitled, "An act in relation to the clerk's office of the county of Oneida," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was also received from the Assembly entitled, "An act to amend the several acts in relation to fraudulent debtors," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was also received from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin County Mutual Insurance Company,' passed May 12, 1836," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly entitled, "An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn," with a message informing that they had concurred therein without amendment.

*Ordered*, That the same be delivered to the Governor.

Mr. Fuller, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act to authorise the supervisors of Monroe county to provide and maintain a surrogate's office in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievance.

On motion of Mr. S. H. P. Hall,

*Resolved*, That the inspectors of State prisons be requested to report to the Senate the amount of the indebtedness of the Sing Sing prison on the 1st day of January inst., as near as the same can be ascertained, the amount expended on the works for carrying the Croton water into the prison, and the sum necessary to complete the same; and an estimate of such appropriations as may be required for additional structures, and to conduct the affairs of that prison for the current year without embarrassment, or the necessity of seeking and obtaining credit in behalf of the State.

The bill entitled, "An act in relation to the office of State Engineer and Surveyor," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee

Mr. Cole  
Mr. Cook  
Mr. Fine  
Mr. Floyd

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Little

Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Williams

30

*Ordered,* That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to erect the town of South Valley in the county of Cattaraugus,' passed April 2, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Hawley	

29

*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to pay Benjamin D. Quigg for arresting a fugitive from justice," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell

Mr. Bush  
Mr. Clark  
Mr. Coffin  
Mr. Cole

Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Whallon  
Mr. Wilkin  
Mr. Williams

28

## FOR THE NEGATIVE.

Mr. Smith

Mr. Tamblin

2

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to confirm the official acts of Adam Smith, a commissioner of highways of the town of Manhem," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Coffin

Mr. Cole  
Mr. Cook  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

26

## FOR THE NEGATIVE.

Mr. Floyd

Mr. Geddes

Mr. Smith

2

A motion to reconsider the vote just taken was decided in the affirmative, and the bill referred to the committee on roads and bridges.

A bill entitled, "An act in relation to the courts held in and for the county of Livingston," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault

Mr. Clark  
Mr. Coffin

Mr. W. Hall  
Mr. Johnson

Mr. Betts	Mr. Cole	Mr. Lawrence	
Mr. Bokee	Mr. Cook	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Fuller	Mr. Wilkin	18

## FOR THE NEGATIVE.

Mr. Fine	Mr. Smith	Mr. Whallon	
Mr. Floyd	Mr. Treadwell	Mr. Williams	
Mr. Geddes			7

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The Senate then proceeded to the consideration of the concurrent Mr. Floyd offered the following as a substitute for Mr. Fine's resolutions in reference to the improvement of harbors.

*Resolved*, That every public work should be paid for by a tax for the use thereof. That whenever a State has the constitutional power to impose such tax, the work should be constructed by that State. That when the General Government alone has the right to impose a tax for the use of a public work, then only is such work of a national character.

*Resolved*, That if the several States should be permitted by Congress to lay a duty on tonnage, to be expended in improvements necessary for commercial purposes, such improvements would be prosecuted with more wisdom, expedition and economy than they now are, and Congress be relieved of one branch of public service, uncertain in its extent and susceptible of great abuse.

The question being on the substitution of Mr. Fine's resolutions for those from the Assembly,

Mr. Tamblin moved to strike out "entire and exclusive" in Mr. Fine's resolution, and insert "full and complete" before "legislative power," which motion was decided in the negative.

Mr. Tamblin then moved to strike out the word "exclusive."

Then the Senate adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK, A. M., JANUARY 29, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Leahy.

The journal of yesterday was read and approved.

Mr. Cook, from the committee on claims, reported adversely to the petition of William Bull praying compensation for damages, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Little, from the committee on charitable and religious societies, reported a bill entitled, "An act for the payment of certain moneys appropriated to the society for the relief of the children of poor widows and widowers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of a bill from the Assembly entitled, "An act to confirm the official acts of Adam Smith a commissioner of highways of the town of Manheim," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, to which was referred the petition for that purpose, reported a bill entitled, "An act to erect the town of North Butternuts in the county of Otsego," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bond, from the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the Orphan Asylum in the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lawrence, by unanimous consent, presented the petition of Peter Schermerhorn and others in reference to the abolition of the fees of the health officers, and that the memorial presented to the Legislature in 1847 in relation thereto, may be taken from the files and referred to a select committee on that subject, which was referred to the committee on commerce and navigation.

Mr. Hawley, by unanimous consent, presented the petition of 194 citizens of Steuben county praying for the passage of a law to tax the personal property of non-residents, which was referred to the committee on finance.

Mr. Bokee, by unanimous consent, presented the petition of the members of the board of the Baptist Education Society of New-York for an act legalising the former acts of said board, and for other purposes, which was referred to the committee on literature.

Mr. Bond presented the petition of the board of trustees of Madison University for an appropriation, which was referred to the committee on literature.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of a bill from the Assembly entitled, "An act in relation to the clerk's office of the county of Oneida," which, by unanimous consent, was read a third time and passed.

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A message was received from the Assembly informing that they had passed, without amendment, the bill from the Senate entitled, "An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847."

*Ordered,* That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act for the appointment of inspectors of turnpikes in the several counties in this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A communication was received from the Comptroller in reference to the banking law, which was referred to the committee on banks and insurance companies.

Mr. Treadwell moved the reconsideration of the vote of the Senate agreeing to the report of the committee on public printing in favor of non-concurring in the bill from the Assembly to provide for public printing.

Mr. Williams moved to lay the motion on the table, which motion was lost.

The question was then taken on Mr. Treadwell's motion, which was lost.

The ayes and noes were called for, and were as follows :

#### FOR THE AFFIRMATIVE.

Mr. Cole  
Mr. Cook

Mr. Fuller

Mr. Treadwell

4

#### FOR THE NEGATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Bond

Mr. Floyd  
Mr. Fox  
Mr. Geddes

Mr. Little  
Mr. Martin  
Mr. Smith

Mr. Brownson	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Fine	Mr. Lawrence	

23

A bill from the Assembly entitled, "An act in relation to the clerk's office of the county of Oneida," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. W. Hall	Mr. Tamblin
Mr. Bush	Mr. Hawley	Mr. Whallon
Mr. Fine		

22

*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have concurred therein without amendment.

On motion of Mr. Fuller,

The Senate then proceeded to the consideration of the Hardor resolutions.

The question being on the adoption of Mr. Fine's first resolutions, the ayes and noes being called for, the motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

23

## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Tamblin
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3

The resolution of Mr. Lawrence was then adopted, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

23

## FOR THE NEGATIVE.

Mr. Adams	Mr. Smith	Mr. Tamblin
Mr. Floyd		

4

The President then put the question upon agreeing to the resolution heretofore offered by Mr. Coffin, which was decided in the affirmative.

Mr. Cornwell's resolutions were then considered.

Mr. Johnson moved that they be laid on the table, which motion was carried.

Mr. Fine's second resolution was then called up and adopted, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Adams	Mr. Smith	Mr. Tamblin
Mr. Floyd		

4

Mr. Floyd's resolutions were then called up, and were decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Floyd

Mr. Smith

Mr. Tamblin

4

## FOR THE NEGATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon

22

The President then put the question upon agreeing to the second resolution heretofore offered by Mr. Fine, which was decided in the affirmative.

A motion was then made to adopt the assembly resolutions.

Mr. Fine moved the indefinite postponement of the consideration of these resolutions, which motion was lost.

A motion was then made to lay on the table, which was carried.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act confirming the official acts of Adam Smith, a commissioner of highways of the town of Manheim," and after some time spent thereon, Mr. Hall, from said committee, reported the same to the Senate without amendment, which report was agreed to.

The bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Hawley

Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

19

## FOR THE NEGATIVE.

Mr. Floyd

1

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again spent some time in committee of the whole on the bill entitled, "An act authorising the removal of the turnpike gate in the town of Cableskill," when Mr. Fuller, from said committee, reported the same to the Senate with amendments. The report was agreed to, and the bill ordered to a third reading.

A bill was also received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain real estate in the town of Catskill in the county of Greene to the Union Meetinghouse Society of Cauterskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was also received from the Assembly for concurrence entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A message was received from the Assembly requesting the Senate to transmit to them the petition of Jesse Hollister, and the other papers relating thereto.

A message was also received from the Assembly requesting the Senate to transmit to them the petition and other papers of John H. Vedder.

A message was also received from the Assembly requesting the Senate to transmit to them the petition and papers of Amos W. Muzzy.

*Ordered*, That the Clerk deliver the same to the Assembly.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to authorise the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians," and after some time spent thereon, Mr. Brownson, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846," and after some time spent thereon, Mr. Fox, from said committee, reported the same without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then again spent some time in committee of the whole on a bill entitled, "An act to incorporate the Clinton Monument Association," and after some time spent thereon, Mr. Cole, from said committee, reported the same with amendments, which report was agreed to, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M., JANUARY 31, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kip.

The journal of Saturday was read and approved.

Mr. Smith presented the remonstrances of stockholders in the Buffalo and Hamburg Turnpike Company against being compelled to make a draw in their bridge across Buffalo creek, which was referred to the committee of the whole.

Mr. Floyd presented two several petitions of inhabitants of Suffolk county for an act to incorporate the Long Island Canal and Navigation Company, which was referred to the committee on canals.

Mr. Bond presented the petition of Micheal Faden for relief, which was referred to the committee on claims.

Mr. Geddes presented the petition of Ledyard Lincklean and others praying for an alteration in the plank road law, which was referred to the committee on roads and bridges.

Mr. Bush presented the petition of Peter and Isaac Moon for the incorporation of the Clover Street Seminary in the town of Brighton, county of Monroe, which was referred to the committee on charitable and religious societies.

Mr. Burch presented three several remonstrances against changing the name of Little Falls, which was referred to the committee on the incorporation of cities and villages.

Mr. Hawley presented the petition of inhabitants of Steuben county praying a law to tax foreigners on debts due them from inhabitants of this State, which was referred to the committee on finance.

The President presented the petition of John S. Darcy and others, citizens of New Jersey, praying for aid in establishing an agricultural school with an experimental farm near the city of New-York under the superintendence of the American Institute, which was read and referred to the committee on agriculture.

Mr. S. H. P. Hall reported adversely to the petition of D. B. Hayer and others for a modification or repeal of the law passed December 15, 1847, relating to the transportation of convicts to the State prison, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. S. H. P. Hall also reported adversely to the petition of 83 citizens of Rensselaerville, Albany county, praying for a law giving

sheriffs reasonable compensation for attending courts, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Geddes, from the committee on roads and bridges, reported a bill entitled, "An act in relation to laying out private roads," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit :

"An act authorising the removal of a turnpike gate in the town of Cobleskill ;" also,

"An act to authorise the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians ;" also,

"An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846."

Mr. Cole, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 51.)

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company,' passed May 12, 1836," which was committed to the committee of the whole.

Mr. S. H. P. Hall presented the report of the inspectors of the Auburn State Prison.

(See Senate Dec. No. 30.)

Mr. S. H. P. Hall moved to print five times the usual number of copies of said report, which motion was referred to the committee on public printing.

Mr. Cook gave notice that at an early day, he would ask leave to introduce a bill for the election of certain officers in the city of Schenectady, and to regulate the police of said city.

Mr. Frost gave notice that, at an early day, he would ask leave to introduce a bill in reference to frauds on emigrant passengers.

The bill entitled, "An act authorising the removal of a turnpike gate in the town of Cobleskill," was read the third time and passed,

a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Williams
Mr. Bush	Mr. Geddes	

23

FOR THE NEGATIVE.

Mr. S. H. P. Hall	Mr. Treadwell	2
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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Geddes
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Fuller	

20

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

A bill entitled, "An act to authorise the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians," was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Martin
Mr. Betts	Mr. Cook	Mr. Smith
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Williams
Mr. Bush	Mr. W. Hall	

23

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to suits at law and equity arising in the county of Orleans," and after some time spent thereon, Mr. Betts, from said committee, reported the same without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands;" and after some time spent thereon, Mr. Smith, from said committee, reported the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then again spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of bridge companies;" and after some time spent thereon, Mr. Fine, from said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That the bill as amended be printed.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajaquada creek in the town of Black Rock,' passed April 28, 1847;" and Mr. Clark, from said committee, reported said bill with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to provide for the appraisal and payment of damages sustained by Henry B. Hewitt and William Beach, of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo;" and Mr. Bokee, from said committee, reported said bill with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act providing for warming and ventilating the capitol;" and Mr. Bond, from said committee, reported said bill without amendment, which report was agreed to, and the bill ordered to a third reading.

By unanimous consent,

The bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Hawley
Mr. Boker	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. Geddes	Mr. Williams

24

FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have concurred therein without amendment.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842;" and Mr. Wilkin, from said committee, reported progress, and obtained leave to sit again.

A message was received from the Assembly requesting the Senate to transmit to them the petition of Aaron Knapp praying for relief, and the other papers relating thereto.

*Ordered,* That the Clerk deliver the same to the Assembly.

A bill was received from the Assembly entitled, "An act to amend an act entitled, 'An act for the relief of Leah Morris,' passed May 21, 1836, and to revive and continue the first and third sections of said act," with a message informing that they had passed the same without amendment.

*Ordered,* That the same be delivered to the Governor.

A bill was also received from the Assembly for concurrence entitled, "An act to amend an act passed September 28, 1847, entitled, 'An act to amend the charter of the village of Whitehall,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was also received from the Assembly for concurrence entitled, "An act to repeal an act entitled, 'An act to establish the old line between the towns of Mayfield and Northampton in the county

of Fulton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Then the Senate adjourned until eleven o'clock to-morrow morning.

## TUESDAY, 11 O'CLOCK, A. M., FEBRUARY 1, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Clark presented the petition of Joseph G. Case for relief under a canal contract, which was referred to the committee on claims.

Mr. Burch presented an abstract from the records of the town of Little Falls relative to changing the name of the village of Little Falls, which was referred to the committee on the incorporation of cities and villages.

Mr. Wilkin presented the petition of Jas. Murphy and others for aid in establishing a college or school and experimental farm near the city of New-York under the superintendence of the American Institute, which was referred to the committee on agriculture.

Mr. Little, from the committee on charitable and religious societies, reported in favor of the passage of the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate in the town of Catskill in the county of Greene, to the Union Meetinghouse Society of Cauterskill," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act in relation to suits at law and equity arising in the county of Orleans;" also,

"An act to incorporate the Clinton Monument Association."

Mr. Brownson, from the committee on public printing, to which was referred the motion to print five times the usual number of

copies of the annual report of the Auburn State Prison, reported against the motion, and in favor of printing twice the usual number and 100 copies for each of the inspectors, which report was agreed to by the Senate, a majority of all the members elected thereto voting in favor thereof.

Mr. Wilkin, from the select committee to which was referred so much of the Governor's message as relates to the Mexican war, made a report in writing, concluding with the following resolutions:

*Resolved*, That the war now pending between the United States and Mexico, had its origin in the annexation of Texas to the United States, which measure itself had its origin in the principal design of extending the political power of slavery in this country.

*Resolved*, That the immediate cause of hostilities between the United States and Mexico, was the orders of the President of the United States directing the army under General Taylor, to move from its position at Corpus Christi to the Rio Grande; that the territory bordering on the left bank of the Rio Grande had been, and then was, possessed by Mexican citizens, owing and yielding allegiance to the Mexican nation; that the invasion of the territory by the American army, was a hostile act directed by the President, without authority from Congress, and while it was in actual session.

*Resolved*, That the acquisition of foreign territory, by conquest, is at war with the principles of our government, fosters a spirit adverse to the permanency of our institutions, and should receive the disapprobation of all who regard the stability of our government more than the extension of our boundaries and the splendor of our arms.

*Resolved*, That it is our own, and, as we believe, the unalterable determination of the people of this State, that while this war ought not to be prosecuted for the acquisition of any territory whatever, if such territory be, by any means acquired, it shall never, with our consent, become a part of the American Union, except on the condition "that there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crime."

*Resolved*, That in the judgment of the Senate, a peace might have been obtained at the conference in September last, between the American and Mexican commissioners, on terms, having reference to and covering every original ground of difference between the two countries, had there been a sincere desire, on the part of the President, to secure that blessing to the country—that the only substantial reason why peace was not then concluded, and upon terms honorable to both nations, was the demand of the President, as his *ultimatum*, of the dismemberment of Mexico, by compelling her to cede parts of the three Mexican States of Taumaulipas, Coahuila and Chihuahua, all of New Mexico and the whole of Upper California, comprising an area of more than 600,000 square miles, and a large population desirous of remaining a part of the Mexican family; that

upon this demand, so humiliating to the pride of Mexico, the conference was broken off and the war renewed.

*Resolved*, That whatever may have been the real or just causes or objects of the war, up to the period of the conference, the President of the United States is responsible to the country for the renewal and continuance of the war, after that period, for the purpose of compelling Mexico, by the terror of our arms, to cede to the United States the territories above referred to.

*Resolved*, That we are unalterably opposed to the acquisition of any territory, by conquest or otherwise, other than the cession, to be voluntarily offered by Mexico, of the Port and Bay of San Francisco, with such convenient and adjoining territory, as may be agreed on, and of the left bank of the Rio Grande, (should Mexico prefer such cession to the payment in money,) as an indemnity for the claims of our citizens on the Mexican government. That such cession may be received with advantage and without apparent injury or hazard to any public interest.

*Resolved*, That in the opinion of the Senate, it is the duty of Congress to limit the further prosecution of the war, to the attainment of peace on the following terms, viz :

1. That the United States shall be quieted in the possession of the proper territory of Texas.

2. That the desert between the Nueces and the Rio Grande be made the boundary of Texas, unless Mexico shall relinquish the left bank of the Rio Grande for a just equivalent.

3. That Mexico shall pay, or give us ample security or indemnity, for the just claims of our citizens on the Mexican government.

*Resolved*, That the project, made apparent, from the measures of the National Administration, from avowals of public men, representing the people and the States of this Union, and from the proceedings of respectable conventions of a large party in the Nation, of subjugating Mexico and annexing it to the American Union, whether springing from criminal ambition or mistaken philanthropy, meets with our decided, unqualified disapprobation. That we regard the extension of our laws and institutions over other countries and nations, from the motive, often avowed, of bettering their condition, as the results of a dangerous fanaticism, that cannot be too early checked nor too severely reprobated. That the United States will best promote the cause of public liberty and the establishment of free, enlightened institutions in other countries, by exhibiting to the world the example of a Republican Government, cultivating with diligence the arts of peace, and governed, in all its relations and measures, by justice and humanity.

*Resolved*, That the government of the United States may, without any sacrifice of national honor, with the view of bringing an unhappy war to a conclusion, act with magnanimity and forbearance, in settling the terms of a treaty between the two Republics. That Mexico, with a distracted government, rent by intestine commotions and with an empty treasury, is an object of compassion rather than

vengeance. That the United States cannot justify herself to the civilized world, in continuing a war repugnant to the spirit of the age, by exacting terms with which her enemy cannot comply without deep humiliation and a sacrifice of national honor. That the cessation of large portions of her territory, and the transfer of large masses of her reluctant population to a foreign power, different in habits, religion, laws and language, are terms to which the United States herself, would not submit, under any pressure of calamity, and which she should never impose on a sister republic. That forced obedience to our authority, however admirable our institutions, is at variance with the principles promulgated in the Declaration of Independence—is in conflict with the settled policy of our government and the sense of justice inherent in our people, and would be deeply deplored by every friend to free institutions and civil liberty throughout the world.

*Resolved*, That the army of the United States, in the pending war with Mexico, have already established, what never could have been doubted, the superiority of our arms over the enemy; that, acting under orders which they were bound to obey, they have manifested a patriotism, never, but in our early annals, surpassed, and have gained victories that will compare, for skill, valor and devotion, with the brightest achievements in the history of any nation.

*Resolved*, That if Mexico shall refuse to adjust the differences between the two nations, on the terms, substantially set forth in the preceding resolutions—if, disregarding the obligations of justice, she shall continue a contest so disastrous to her people and revolting to the humanity of the age, she will become, from that period, responsible for the continuance of the war; that under such circumstances, the honor of the American nation and the spirit of the American people will demand that the war be vigorously prosecuted, as the only means of obtaining, what is greatly to be desired, a speedy, permanent and honorable peace.

Mr. Fine, from the minority of the same committee, made a report in writing.

(See Senate Doc. No. 19.)

On motion of Mr. Fuller, and by unanimous consent,

*Ordered*, That the reports and resolutions from the select committee on that part of the Governor's message relating to the Mexican war, be laid upon the table and made the special order for the 16th February inst., and that ten times the usual number of copies thereof be printed as one document.

Mr. Bokee, by unanimous consent, presented the remonstrance of R. A. Duryea and others against the repeal or alteration of the law in reference to Washington Park, which was referred to the select committee having that matter in charge.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajaquada Creek in the town of Black Rock,' passed April 28, 1847;" also,

"An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach, of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo;" also,

"An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands."

Mr. Cook, pursuant to notice, asked and obtained leave to bring in a bill entitled, "An act for the election of certain officers in the city of Schenectady, and to regulate the police in said city," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill entitled, "An act to incorporate the Clinton Monument Association," was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Cole		

**19**

**FOR THE NEGATIVE.**

Mr. Geddes	Mr. S. H. P. Hall	Mr. Tamblin	<b>3</b>
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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to suits at law and equity arising in the county of Orleans," was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Little
Mr. Ayrault	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin

Mr. Clark  
Mr. Cole

Mr. W. Hall  
Mr. Hawley

Mr. Williams

20

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach, of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Burch  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall

Mr. Hawley  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

19

FOR THE NEGATIVE.

Mr. Brownson  
Mr. Floyd

Mr. S. H. P. Hall

Mr. Tamblin

4

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Hawley  
Mr. Little  
Mr. Martin  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

28

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to incorporate a Gas Light Company in the village of Brooklyn,' passed April 18, 1823," was returned from the Assembly with a message informing that the Assembly do non-concur in the passage of said bill.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the incorporation of charitable and benevolent societies;" and Mr. Treadwell, from said committee, reported progress, and obtained leave to sit again.

The Senate then adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., FEBRUARY 2, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lowrey.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of John G. Forbes and others, of the county of Onondaga, praying that the term of imprisonment in State prison for the first offence may be shortened, which was referred to the committee on state prisons.

Mr. Frost presented the petition of James R. Haight and others for aid in establishing a college or school and experimental farm near the city of New-York under the superintendence of the American Institute, which was referred to the committee on agriculture.

Mr. Little, from the committee on charitable and religious societies, to which was referred the petition of Isaac Moore for the incorporation of Clover Street Seminary, in the town of Brighton, county of Monroe, asked to be discharged from the further consideration of said petition, and that the same be referred to the committee on literature, which report was agreed to.

Mr. Cook, from the committee on claims, reported adversely to the petition of Isaac E. Philips and W. I. Nelson, canal contractors, for relief, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Ayrault, by unanimous consent, presented the petition of John Greene for payment to him of the proceeds of certain escheated lands, which was referred to the committee on claims.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of a bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to establish the old line between the towns of Mayfield and Northampton, in the county of Fulton,' " which was committed to the committee of the whole

A bill was received from the Assembly for concurrence entitled, "An act relative to the mayor's court in the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was also received from the Assembly for concurrence entitled, "An act in relation to the public buildings of Onondaga county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

Mr. Frost, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act for the protection of emigrants arriving in the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Cook gave notice that, at an early day, he would ask leave to introduce a bill to amend the act relating to the redemption of bank notes, passed May 4, 1840.

Mr. Floyd gave notice that he would, at an early day, introduce a bill to repeal the law passed May 25, 1836, entitled, "An act for the prevention of frauds in the sale of oil."

On motion of Mr. W. Hall,

*Resolved*, That the Clerk of the Senate be directed to furnish the reporters and messengers with a copy of the manual as usual, to be paid for out of the contingent fund of the Senate.

Leave of Absence was granted to Mr. Smith for ten days.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' and the act amending the same, passed April 18, 1838;" when Mr. Whallon, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion,

*Ordered*, That the usual number of copies of the amendment offered by Mr. Adams in committee of the whole to said bill, be printed.

The Senate then spent some time in committee of the whole on the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company ;'" when Mr. Williams, from said committee, reported progress, and asked leave to sit again.

On motion of Mr. Geddes,

The committee of the whole were discharged from further consideration of said bill, and the same was referred to the committee on banks and insurance companies, with instructions to make it general so as to apply to all mutual insurance companies.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to release the interest of the State in certain real estate in the town of Catskill in the county of Greene, to the Union Meetinghouse Society of Cauterskill ;" when Mr. Hawley, from said committee, reported in favor of the passage thereof without amendments, which report was agreed to, and the bill ordered to a third reading.

On motion of Mr. Brownson,

The further consideration of the bill entitled, "An act to change the name of Theodore Cudney to Theodore C. Perquay," was indefinitely postponed.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Samuel W. Harned to construct a set of ways for launching vessels," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the formation of Gas Light Companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

Then the Senate adjourned until eleven o'clock to-morrow morning.

THURSDAY, 11 O'CLOCK, A. M., FEBRUARY 3, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miles.

The journal of yesterday was read and approved.

Mr. Treadwell presented the petition of the minister, elders and deacons of the Reformed Protestant Dutch Church of Schenectady, praying for the repeal of the equalization tax law, which was referred to the select committee on landlords and tenants.

Mr. Geddes presented the petition of William T. Lawrence, of Fulton county, praying for an alteration in the plank road law, which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of Peter Cloga, contractor on the Black River Canal, praying for relief, which was referred to the committee on claims.

Mr. Martin presented the petition of citizens of Chautauque Co., for an alteration of the law in relation to deposits in the late court of chancery, which was referred to the committee on the judiciary.

Mr. Bush presented the affidavit of Isaac Sherman in relation to a toll bridge across Buffalo creek, which was referred to the committee of the whole.

Mr. Bush presented the petition of R. N. Young and others for an agricultural school near New-York, which was referred to the committee on agriculture.

Mr. W. Hall presented the petition of Joseph Osborn and others for the same purpose, which was referred to the same committee.

Mr. W. Hall also presented the petition of G. T. Clarke and others, of the 12th ward of the city of New-York, for an alteration of the police law as it relates to that ward, which was referred to the committee on the judiciary.

Mr. Fox presented two petitions from inhabitants of the town of Sand Lake, Rensselaer county, for the division of said town, which were referred to the committee on the division of towns and counties.

Mr. Fox also presented the remonstrance of citizens of the same place against such division, which was referred to the same committee.

Mr. Fuller, from the committee on canals, to which was referred the petition for that purpose, reported a bill entitled, "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Medina," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee of the whole.

(See Senate Bill No. 53.)

Mr. Bokee, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to firemen in the several cities and villages of the State," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 54.)

Mr. Floyd, from the committee on claims, reported in writing adversely to the petition of Henry Rector, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

(See Senate Doc. No. 16.)

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of a bill from the Assembly entitled, "An act relative to the mayor's court of the city of Albany," which was committed to the committee of the whole.

Mr. Treadwell, from the committee on public buildings, reported in favor of the passage of a bill from the Assembly entitled, "An act in relation to the public buildings of Onondaga county," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend an act passed September 28, 1847, entitled, 'An act to amend the charter of the village of Whitehall,' " which was committed to the committee of the whole.

Mr. Floyd, from the committee on engrossed bills, reported as correctly engrossed a bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847."

Mr. Bokee, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act to provide for the incorporation of insurance companies," which was read the first time, and by unanimous consent was also read a second time; and referred to the committee on banks and insurance companies.

Mr. Brownson gave notice that, at some early day, he would ask leave to introduce a bill to change the time of the election of recorder and surrogate in the city of New-York.

Mr. Floyd, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act to repeal 'An act for the prevention of frauds in the sale of oils,' passed May 25, 1836," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Cook, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Clark,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of authorising by law the Governor, at any time during the recess of the Legislature, to revive by proclamation, the act entitled, "An act for the preservation of the public health," passed June 22, 1832.

On motion of Mr. Fine,

*Resolved*, That the committee on literature inquire and report on the propriety of the State making a yearly appropriation to the several counties to aid in the education of teachers of common schools of one hundred dollars for each member of the Assembly, on condition that a like sum be raised by the county, and the supervisors to designate the academy to which the money shall be paid.

The bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Frost	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Fine	Mr. Hawley	

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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act to release the interest of the State in certain real estate in the town of Catskill in the county of Greene to the Union Meetinghouse Society of Cauterskill," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajuada creek in the town of Black Rock,' passed April 28, 1847," was read the third time.

The President put the question upon the final passage of said bill, and the ayes and noes were as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
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Two-thirds of all the members elected to the Senate not voting upon said bill,

Said bill was laid on the table.

Afterwards said bill was again read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. Geddes	Mr. Williams
		24

*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the incorporation of charitable and benevolent societies;" when Mr. Treadwell reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the construction of a railroad from Albany to Cohoes;" when Mr. Geddes, from said committee, reported progress and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton;" when Mr. Brownson from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act relating to the mayor's court in the city of

Albany;" when Mr. Cole, from said committee, reported the same with amendments to the Senate, which report was agreed to and the bill ordered to a third reading.

Afterwards, by unanimous consent, the bill, with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Frost	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. W. Hall	

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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' and the acts amending the same, passed April 18, 1838," when Mr. Whallon, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Ayrault,

*Ordered*, That the bill as amended in committee of the whole be printed, together with the amendment offered by Mr. Cook.

Then the Senate adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK A. M., FEBRUARY 4, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lowry.

The journal of yesterday was read and approved.

Mr. Johnson presented the remonstrance of 400 citizens of Brooklyn against any alteration in the law providing for opening Washington Park, which was referred to the select committee having that matter in charge.

Mr. Ayrault presented the petition of William Mitchel and others in favor of an experimental farm near the city of New-York, which was referred to the committee on agriculture.

Mr. Burch presented the petition of Albert Ford and others praying for a law to remunerate trustees and clerks of school districts for their services, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of the inhabitants of the towns of Van Buren and Lysander on the subject of the dam at Baldwinville, which was referred to the committee on canals.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," which was committed the committee of the whole.

Mr. Cook, from the committee on claims, to which was referred the petition of Peter Cloger for relief, reported adversely to the prayer of the petitioner, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

On motion of Mr. Cook,

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of John R. Green praying that the proceeds of certain escheated lands be paid to him, and that the same be referred to the Attorney General for his report thereon.

Mr. Ayrault from the committee on banks and insurance companies, reported in favor of the passage of a bill entitled, "An act to provide for the incorporation of insurance companies," which was committed to the committee of the whole.

(See Senate Bill No. 55.)

Mr. Clark, from the committee on manufactures, reported in favor of the passage of a bill from the Assembly with amendments entitled; "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes," which was committed to the committee of the whole.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the commissioners of highways of the town of Butternuts to borrow money," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to enable Mary Grogan to hold and convey certain real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled, "An act to release to Jemima Rexford and others the bed of the old Erie canal at Rexford Flatts, in the county of Saratoga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act further to amend 'An act to authorise the construction of a railroad from New-York to Albany, passed May 12, 1846," which

was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act for the appointment of wreck masters in Suffolk, Queens, Kings, Richmond and Westchester counties," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

The ninth annual report of the Savings Bank of Utica was received, and laid on the table.

Mr. Fuller gave notice that, at a future day, he would ask leave to introduce a bill in respect to the funds and securities in the possession of the clerk of the court of appeals.

Also a bill to provide for the safe keeping, investment and disbursement of money in or under the control of courts of record.

Mr. Geddes gave notice that, at an early day, he would ask leave to introduce a bill for a general railroad law.

On motion of Mr. Cook,

*Ordered*, That the petition and papers relating to the claim of Joseph G. Case, on the files of the Senate, be taken therefrom and referred to the committee on claims.

On motion of Mr. Bokee,

The following resolution from the Assembly was concurred in :

*Resolved*, (if the Senate concur,) That the usual number to be printed of bills reported by committees of the Senate and Assembly be 500.

*Ordered*, That the Clerk return the same to the Assembly, with a message informing that they have concurred therein.

On motion of Mr. Martin,

The committee on canals were discharged from the further consideration of the petition of John Strong and others, and the same referred to the committee on claims.

By unanimous consent Mr. Treadwell gave notice that he would, at an early day, ask leave to introduce a bill to refund to G. W. Murray moneys improperly levied and collected in the county of Clinton.

Mr. Treadwell moved to reconsider the vote on the final passage of the bill from the Assembly as amended in the Senate entitled, "An act relating to the mayor's court of the city of Albany," which motion was decided in the affirmative.

The bill was then passed without amendment, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Ayrault	Mr. Floyd	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. W. Hall	Mr. Williams
Mr. Cook	Mr. Hawley	

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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have concurred therein without amendment.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act for the incorporation of charitable and benevolent societies;" when Mr. Treadwell, from said committee, reported the same with amendments, which report was laid on the table, and the bill as amended ordered to be printed.

Mr. Cook offered the following resolution :

*Resolved*, That the bill entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' and the acts amending the same, passed April 18, 1838," be made a special order for Wednesday the 18th inst.

The question "shall the resolution be adopted?" was decided in the negative.

Leave of absence was granted to Mr. Martin for 10 days.

Then the Senate adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK A. M., FEBRUARY 5, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. L. Miles.

The Journal of yesterday was read and approved.

Mr. Fox presented the petition of the inhabitants of the town of Sandlake, Rensselaer county, for a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Johnson presented the petition of George Griswold and others for aid in their application to Congress for relief in respect to French spoils previous to the year 1800, which was referred to the committee on grievances.

Mr. Cook presented the remonstrance of inhabitants of Sandlake, Rensselaer county, against a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Cook presented the petition of Nathan Barley and others, inhabitants of the county of Saratoga, for a law to compel the banks to redeem their notes at par in the cities of New-York and Albany, which was referred to the committee on banks and insurance companies.

Mr. Ayrault presented the petition of Isaac Adriance and others for the establishment of an agricultural college, which was referred to the committee on agriculture.

Mr. Ayrault presented the memorial of citizens of Seneca Falls praying for an appropriation to Geneva College, which was referred to the committee on literature.

Mr. Fuller presented the petition of the Washington Monument Association asking an appropriation, which was referred to the committee on charitable and religious societies.

Mr. Fine presented the petition of the Northern Railroad Company to increase their capital and for other purposes, which was referred to the committee on railroads.

Mr. Bond, from the committee on literature, to which was referred the several petitions in reference to Geneva College, made a written report thereon, and also reported a bill entitled, "An act to appropriate portions of the income of the U. S. Deposit Fund to certain colleges," which bill was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Doc. No. 23.)

Mr. Fine moved that ten times the usual number of copies of said report be printed, which motion was referred to the committee on public printing.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of a bill from the Assembly without amendment entitled, "An act to authorize the commissioners of highways of the town of Butternuts to borrow money," which was committed to the committee of the whole.

Mr. Johnson, from the committee on railroads, reported in favor of the passage, without amendments, of a bill from the Assembly entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association," which was committed to the committee of the whole.

Mr. Burch, from the committee on commerce and navigation, reported in favor of the passage, without amendments, of a bill from the Assembly entitled, "An act to authorize Samuel W. Harned to construct a set of ways for launching vessels," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to release to Jemima Rexford and others the bed of the old Erie canal at Rexford Flatts, in the county of Saratoga," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising the sale of rights of preemption to real estate, or chattels real, in certain cases,' passed November 22, 1847," which was committed to the committee of the whole.

On motion of Mr. Treadwell,

*Resolved*, That the Assembly be respectfully requested to transmit to the Senate eight several petitions on file in that House, in relation to the Buffalo and Hamburg Turnpike Company, to construct a draw in their bridge, and that the same be referred to the committee of the whole when upon that subject; which resolution was adopted.

Mr. Treadwell, from the committee on landlords and tenants, reported the following concurrent resolution, which was laid on the table :

*Resolved*, (if the Assembly concur,) That the Attorney General be, and he is hereby authorised, to commence proceedings on behalf of the people of this State for the recovery of any lands in this State claimed to be held under any grant from the crown of Great Britain or the Colonial Government of New-York, if in his opinion such proceedings can be prosecuted with success.

A bill was received from the Assembly for concurrence entitled, "An act to drain the Pacama Fly and the Beaverville swamp, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned two several bills with the following titles :

"An act in relation to the police justice in the village of Saratoga Springs;" also,

"An act to authorise the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts owing by said city," with a message informing that they had passed the same severally without amendment, which were delivered to the Governor.

On motion of Mr. Fuller,

*Resolved*, That the Clerk of the Senate be instructed to inquire why the journals and bill books of the last Legislature are so long delayed, and when they will be furnished to the Senate library, so that the members can have access to them.

On motion of Mr. Fuller,

*Resolved*, That the act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes, be made the special order for Monday next.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to relieve the Reformed Dutch Church of Poughkeepsie from the operation of an act entitled, 'An act to equalise taxation,' passed May 13, 1846;" when Mr. Lawrence, from

said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845;" when Mr. Bond, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to establish the old line between the towns of Mayfield and Northampton, in the county of Fulton;'" when Mr. Fox, from said committee, reported the said bill without amendment, which report was agreed to, and the bill ordered to a third reading.

By unanimous consent the bill was then read the third time and passed; a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. Johnson	

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*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act in relation to the public buildings of Onondaga county;" when Mr. Treadwell, from said committee, reported in favor of the passage of said bill without amendment, which report was agreed to by the Senate, and the bill ordered to a third reading.

Mr. Fine, from the committee on railroads, by unanimous consent, reported in favor, with amendments, of a bill from the Assembly entitled, "An act further to amend 'An act to authorise the construction of a railroad from New-York to Albany,' passed May 12, 1846," which report was accepted.

The Senate then spent some time in committee of the whole upon the said bill, when Mr. Little, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act relating to the public highways in the town of Kingston," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the salary of the district attorney of the county of Broome," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the supervisors of Monroe county to raise money to build a bridge across the Genesee river," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the supervisors of the county of Rensselaer," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was also received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to amend the law in relation to suits against foreign corporations,' " which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Mr. Burch, from the committee on engrossed bills, reported as correctly engrossed a bill entitled, "An act to relieve the Reformed Dutch Church of Poughkeepsie from the operation of an act entitled, 'An act to equalise taxation,' passed May 13, 1846," which was ordered to a third reading.

A report was received from the Northern Dispensary of the city of New-York, which was laid on the table.

Then the Senate adjourned until 11 o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M., FEBRUARY 7, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of Saturday was read and approved.

Mr. Fox presented the petition of inhabitants of Sandlake for a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Geddes presented the remonstrance of Philip Drake and others against a law to drain a swamp near the village of Canton, in the county of Onondaga.

Also a petition praying for a law to drain said swamp, both of which were referred to the committee on canals.

Mr. Brownson presented the resolutions of the supervisors of the county of Wyoming in favor of the passage of a law to provide for the election of an officer to discharge the duties of county judge and

surrogate in said county, which was referred to the committee on the judiciary.

Mr. Tamblin presented the petition of inhabitants of the town of Lyme, in the county of Jefferson, praying for a division of said town and the erection of two new towns, which was referred to the committee on the division of towns and counties.

Mr. Tamblin also presented the petition of citizens of the county of Jefferson praying for a law prohibiting the sale of intoxicating liquors to be used as a beverage, which was referred to the committee on the judiciary.

Mr. Lawrence presented the petition of N. Taylor and others for a law authorising the creation of manufacturing establishments in this State, which was referred to the committee of the whole.

Mr. Bond presented the petition of inhabitants of the county of Oswego asking for an amendment in the charter of the Oswego Bridge Company, which was referred to the committee on roads and bridges.

Mr. Bond also presented the petition of citizens of Oswego for an extension to Geneva College of the annuities formerly granted to it by the law of 1838, which was referred to the committee on literature.

Mr. Johnson presented the petition of E. R. Gurnsey and others for an act to provide for the construction of a railroad from Buffalo to Irving, with the privilege of continuing the same to the State line, which was referred to the committee on railroads.

Mr. Fuller presented the petition of inhabitants of Buffalo for a draw in the toll bridge across Buffalo creek, which was referred to the committee of the whole.

Mr. Fuller also presented the petition of members of the bar of Monroe county in relation to the law library in the possession of the Chancellor, which was referred to the committee on the judiciary.

Mr. Fuller, from the committee on canals, to which was referred the several petitions for that purpose, reported a bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to authorise the supervisors of Monroe county to raise money to build a bridge across the Green river," which was committed to the committee of the whole.

Mr. Geddes, from the same committee, reported in favor of the passage, with amendments, of a bill from the Assembly entitled, "An act for the appointment of inspectors of turnpikes in the several counties in this State, which was committed to the committee of the whole.

Mr. Johnson, from the committee on Indian affairs, reported in favor of the passage, with amendments, of a bill from the Assembly entitled, "An act to revive an act entitled, 'An act for the relief of

the Shinnecock tribe of Indians,' passed April 19, 1831," which was committed to the committee of the whole.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the report of Mr. Bond in reference to Hamilton and Geneva Colleges and New-York University, asking for aid, which report was agreed to.

Mr. Fuller, from the committee on canals, reported in favor of the passage without amendment, of a bill from the Assembly entitled, "An act to drain the Pacama Fly and the Beaverville swamp, in the county of Ulster," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage, without amendment, of the bill from the Assembly entitled, "An act to regulate the salary of the district attorney of the county of Broome," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act in relation to the supervisors of Rensselaer county," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage of a bill entitled, "An act for the more effectual protection of married women," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act to release the interest of the State to certain real estate of which John McLeish died seised," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Clark, from the committee on manufactures, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to authorise the formation of Gas Light Companies," which was committed to the committee of the whole.

A bill was received from the Assembly for concurrence entitled, "An act authorising the Canal Commissioners to lease the surplus waters of the Glens Falls feeder," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

The report of the inspectors of State prisons in answer to a resolution of the Senate of the 28th day of January last was received, and laid on the table.

(See Senate Doc. No. 22.)

A motion to print five times the usual number of copies of said report for the use of the Legislature, and three hundred copies thereof for the use of said inspectors, was referred to the committee on public printing.

Mr. Clark gave notice that he would, at an early day ask leave to introduce a bill in relation to suits by and against partnership and joint stock companies.

Mr. Bond gave notice that he would, at an early day, introduce a bill to authorise the board of supervisors of the county of Oswego to raise by tax upon the taxable property of the county, a sum not exceeding four thousand dollars, one half thereof to be raised and levied in 1848 and the other half levied and raised in 1849, to build a county jail at some suitable place in the village of Oswego.

On motion of Mr. Fine,

*Resolved*, That the President of the Senate fill the vacancy in the committee on railroads occasioned by the illness and absence of Mr. Cornwell, said appointment to continue during the absence of Mr. Cornwell.

Thereupon,

The President named Mr. Geddes of said committee during the absence of Mr. Cornwell.

Mr. Fine offered the following concurrent resolution, which was read and laid on the table :

*Resolved*, (if the Assembly concur,) That it be recommended to the Canal Commissioners, if in their opinion it be not inconsistent with the public welfare, to close the locks of the State canals during the coming season of navigation, from 8 A. M. to 6 P. M. of every Lord's day.

Mr. Tamblin offered resolutions in the words following, to wit :

*Resolved*, That a select committee of three be appointed for the purpose of making appropriate arrangements for the reception, by the Legislature, of Gen. Quitman, who is expected to visit the city of Albany this day.

*Resolved*, That the honorable the Assembly be respectfully requested to appoint a committee of five for such purpose, who, with the Senate committee, shall be a joint legislative committee of arrangements.

*Resolved*, That the Clerk, immediately after the passage of these resolutions, transmit the same to the honorable the Assembly.

The President put the question upon agreeing to said resolutions, and it was decided in the affirmative.

*Ordered*, That the Clerk deliver a copy of said resolutions to the Assembly.

Afterwards,

The Assembly returned said resolutions, with a message informing that they had concurred therein, and had appointed Mr. Pruyn, Mr. W. S. Smith, Mr. Rose, Mr. Bowen and Mr. Finn, said committee on the part of that House.

Thereupon,

The President appointed Mr. Tamblin, Mr. Little and Mr. Brownson, said committee on the part of the Senate.

The bill entitled, "An act to relieve the Reformed Dutch Church at Poughkeepsie from the operations of an act entitled, 'An act to equalise taxation,' passed May 13, 1846," was read a third time

and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams

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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

A bill from the Assembly entitled, "An act in relation to the public buildings of Onondaga county," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Johnson	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Fox, by unanimous consent, presented the remonstrance of inhabitants of Rensselaer county against the division of Sandlake, which was referred to the committee on the division of towns and counties.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes ;" when Mr. Johnson, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Coffin,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill amending the charter of the Hudson River Railroad, and that the same be ordered to a third reading.

On motion of Mr. Treadwell,

*Resolved*, That the bill from the Assembly entitled, "An act to authorise the formation of Gas Light Companies," be referred to the committee of the whole having in charge the general manufacturing law.

A bill was received from the Assembly for concurrence entitled, "An act providing for the election of city superintendent of common schools of the city of Rochester, by the electors of said city," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the wife and heirs of Peter Alphosne Le Cou-teulx to take, hold, and convey real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the compensation of town officers of Flatbush, New Utrecht, Bushwick, Flatlands and Gravesend," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

The Senate then adjourned until eleven o'clock to-morrow morning.

## TUESDAY, 11 O'CLOCK, A. M., FEBRUARY 8, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Needham.

The journal of yesterday was read and approved.

Mr. Tamblin, from the select committee of arrangements for the reception of Gen. Quitman, reported, by unanimous consent, the order of arrangements made by such committee.

On motion of Mr. Tamblin,

The orders of the day were so far varied as to proceed to the third reading of bills.

Mr. Fine, from the committee on railroads, by unanimous consent made a written report on the petition of the Northern Railroad Company, which report was ordered to be printed.

(See Senate Doc. No. 24.)

Also a bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to lake Champlain,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The bill from the Assembly entitled, "An act further to amend 'An act to authorise the construction of a railroad from New-York to Albany,' passed May 12, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Lawrence
Mr. Betts	Mr. Cole	Mr. Little
Mr. Bokee	Mr. Cook	Mr. Tamblin
Mr. Bond	Mr. Fine	Mr. Treadwell
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Johnson	Mr. Wilkin
Mr. Clark		

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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

A message was received from the Governor, informing that he had approved and signed five several bills with the following titles, to wit :

"An act in relation to the collection of taxes in the eighth and ninth wards of the city of Brooklyn ;" also,

"An act to amend the act entitled, 'An act for the relief of Leah Morris,' passed May 21, 1836, and to revive and continue the first and third sections of said act ;" also,

"An act to amend an act entitled, 'An act to provide for the calling of a convention to revise the laws relating to the city of Brooklyn,' passed May 10, 1847 ;" also,

"An act in relation to the police justice in the village of Saratoga Springs ;" also,

"An act to authorise the city of Hudson to borrow a sum of money to be applied to the payment of certain bonds and debts owing by said city."

The Senate then spent some time in committee of the whole upon two several bills entitled, "An act to authorise the formation of Gas Light Companies ;" also, "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes ;" when Mr. Johnson, from said committee, reported progress, and obtained leave to sit again.

Mr. S. H. P. Hall moved to take the last mentioned bill from the committee of the whole, and that it be referred to a select committee.

Mr. Fuller moved to lay Mr. Hall's motion on the table, which motion was lost.

The ayes and noes having been called, were as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cole		

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## FOR THE NEGATIVE.

Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Williams
Mr. Clark	Mr. S. H. P. Hall	

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The President then put the question on Mr. Hall's motion.

The ayes and noes having been called, the motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Williams
Mr. Clark	Mr. S. H. P. Hall	

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## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cole		

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The hour previously designated by the committee of arrangements having arrived, Gen. Quitman now entered the chamber, escorted by the select committee of the Senate and Assembly, the Senators standing in their places. He was introduced by Mr. Tamblin, and addressed by the Lieut. Governor as follows :

GENERAL—The Legislature of New-York, appreciating the distinguished services rendered to our country by yourself, and your gallant associates of the American army in Mexico, extends to you a most cordial welcome to their seat of government.

Whatever differences of opinion may exist in regard to the origin or the objects of the war in which our country is unhappily engaged, the people of our State reserve their judgment for those who may have involved their country in the calamities of war—but to the gallant army which has so nobly carried our victorious eagles through incredible difficulties and against immensely overwhelming numbers, and has planted our standard in triumph on every battle field, they have given their whole heart, their entire affection. They have watched with admiration, which grows into amazement at the brilliancy of its achievements, the progress of that glorious army, whose

well planned movements mark at every step the master mind of its commander, and the valor, the efficiency and the patriotism of his associates and his men. And they are happy to recognise among those who have the most aided to produce the results which reflect so much honor upon their country, a native of our own State,—though a more southern clime may call you hers by adoption, New-York will not forget that you are hers by birth. She is proud of your success on the battle field, and she glories too in your more quiet, though not less distinguished efforts in civic pursuits. Therefore, General, she welcomes you back to your native State, and in the name of this body, I welcome you here, and introduce you to the Senators of the State of New-York.

To which the General replied as follows :

**MR. PRESIDENT**—Standing in the presence of the "Conscript Fathers" of my native State, I can only say, that I feel the honor of this distinction to be a sufficient reward for having discharged that duty which, as an American citizen and a son of New-York, must be expected of every one. I thank you, sir, and the members of the Senate, for this kind reception. I shall feel proud to cherish its recollection in my memory, so long as I live.

General Quitman was then conducted to a seat beside the President, when the Senate proceeded with the order of business, commencing with the presentation of petitions.

**Mr. Tamblin** presented the petition of inhabitants of the county of Jefferson praying for a law to give compensation to sheriffs for attending courts, which was referred to the committee on the judiciary.

**Mr. Tamblin** presented the petition of inhabitants of the same place for the repeal of the law of December 15, 1847, in relation to the transportation of convicts to the State prisons, which was referred to the committee on state prisons.

**Mr. Ayrault** presented the petition of William Tillman and others in favor of an experimental farm near New-York, which was referred to the committee on agriculture.

**Mr. Fuller** presented the petition of inhabitants of Monroe county for the passage of a law providing for the sale of lands for taxes in the counties in which they are located, which was referred to the committee on finance.

**Mr. Fuller** also presented the petition of sundry inhabitants of the city of Rochester for the passage of an act in relation to the numbering and entering of chattel mortgages in the county clerk's office, which was referred to the committee on the judiciary.

**Mr. Coffin** presented the petition of Peter Skinner and others praying for the establishment of an experimental farm near New-York, which was referred to the committee on agriculture.

**Mr. Hawley** presented the petition of 124 citizens of Steuben county, asking a law to tax the personal property of foreigners, which was referred to the committee on finance.

**Mr. Wilkin**, from the committee on the judiciary, reported in favor of the passage of a bill from the Assembly entitled, "An act

to amend the several acts in relation to fraudulent debtors," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage of a bill entitled, "An act for the election of certain officers in the city of Schenectady, and to regulate the police of said city."

Mr. Wilkin, from the same committee, to which was referred the petition of C. Gardiner and others, directors of the Johnstown and Fultonville Plank Road to authorise them to build a bridge, reported adversely to said petition, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend the law in relation to suits against foreign corporations," which was committed to the committee of the whole.

Mr. Fuller gave notice that, at some future day, he would ask leave to introduce a bill relating to chattel mortgages for the city of Rochester, and by unanimous consent he introduced the bill entitled, "An act relating to chattel mortgages for the city of Rochester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Fuller also, pursuant to notice, asked for and obtained leave to introduce two several bills entitled as follows :

"An act in relation to the funds and securities in the possession of the clerk of the court of appeals ;" also,

"An act to provide for the safe keeping, investment and disbursement of moneys in and under the control of courts of record," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Mr. Clark, pursuant to notice, asked for and obtained leave to bring in a bill entitled, "An act in relation to suits by and against partnerships, joint stock companies and associations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Fox gave notice that he would, at an early day, ask leave to introduce a bill in relation to the better security of mechanics and others erecting buildings.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842;" when Mr. Wilkin, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' and the acts amending the same, passed April 18, 1836," and after some time spent thereon, Mr. Whallon, from said committee, reported the same to the Senate.

The question was put on agreeing to the report, when a quorum not voting in favor thereof, the question was lost.

Afterwards,

On motion of Mr. Ayrault,

The question was again put and decided in the affirmative, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to erect the town of North Butternuts in the county of Otsego;" when Mr. Bokee, from said committee, reported the same to the Senate, and recommended its passage, which report was agreed to. The bill was then ordered to be engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to the Orphan Asylum Society in Brooklyn," and after some time spent thereon, Mr. Clark, from said committee, reported in favor of the passage thereof, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to laying out private roads;" when Mr. Little, from said committee, reported the same to the Senate without amendment, and recommended the passage of the same, which report was agreed to and the bill ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to fix the time and place of holding the annual town meeting in the town of Sahna," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on privileges and elections.

A bill was received from the Assembly for concurrence entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him while acting as school-commissioner for the town of New Berlin," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the canal appraisers to appraise the damages sustained by the town of Alabama by the water of the canal feeder from the Tonawanda creek, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill entitled, "An act authorising Patrick Walsh to convey certain real estate," was returned from the Assembly, with a message informing that they had passed the same without amendment.

Ordered, That the same be sent to the Governor for his approval.

A bill entitled, "An act in relation to the courts held in and for the county of Livingston," was returned from the Assembly, with a message informing that they had passed the same without amendment.

*Ordered*, That the same be sent to the Governor for his approval.

A bill entitled, "An act to incorporate the Clinton Monument Association," was returned from the Assembly, with a message informing that they had passed the same with amendments, which amendments were agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have agreed to said amendments.

The Senate then adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, 11 O'CLOCK, A. M., FEBRUARY 9, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. Fox presented the petition of William P. Van Rensselaer praying for the repeal of the equalization tax law of rents, passed May 13, 1846, which was referred to the committee on the judiciary.

Mr. Little presented the petition of D. McDonald and others for the establishment of an experimental farm near the city of New-York, which was referred to the committee on agriculture.

Mr. Geddes presented two several petitions of inhabitants of Onondaga county for the erection of a new town in said county, which was referred to the committee on the division of towns and counties.

Mr. Bond presented the petition of inhabitants of Oswego to amend the charter of the Oswego Bridge Company, which was referred to the committee on roads and bridges.

Mr. Burch presented the remonstrance of M. W. Priest and others against changing the name of Little Falls, which was referred to the committee on the incorporation of cities and villages.

Mr. Ayrault presented the petition of citizens of Flushing for a law establishing savings banks, which was referred to the committee on banks and insurance companies.

Mr. Hawley presented the remonstrance of the Buffalo and Hamburg Turnpike Company against building a draw in their bridge and extending their road, which was committed to the committee of the whole.

Mr. Little presented a remonstrance against the division of the town of Butternuts, which was referred to the committee on the division of towns and counties.

On motion of Mr. Little,

The vote ordering the bill entitled, "An act to divide the town of Butternuts," was reconsidered, and the bill referred to the committee on the division of towns and counties.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the report of the inspectors of State prisons in answer to the resolution of the Senate of 28th of January last be printed for the use of the Legislature, and three hundred extra copies thereof be printed for the use of said inspectors, which report was agreed to.

Mr. Cook, from the committee on claims, to which was referred the petition of Charles Hanford for relief, reported adversely to said petition, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. S. H. P. Hall, from the committee on State prisons, to which was referred a petition for that purpose, reported a bill entitled, "An act making appropriations for the Western House of Refuge," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to authorise the wife and heirs of Peter Alphonse Le Cousteux to take, hold, and convey real estate," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, reported a bill entitled, "An act to amend the act for the better regulation of county and State prisons," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the same committee, reported a bill entitled, "An act making appropriations for the Sing Sing prison," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage, without amendment, of a bill from the Assembly entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him while acting as school commissioner for the town of New Berlin," which was committed to the committee of the whole.

Mr. Bond, from the same committee, reported in favor of the passage of a bill, without amendment, from the Assembly entitled, "An act providing for the election of city superintendent of common

schools of the city of Rochester, by the electors of said city," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on privileges and elections, reported in favor of the passage of a bill from the Assembly, without amendment, entitled, "An act to fix the time and place of holding the annual town meeting in the town of Salina," which was committed to the committee of the whole.

Mr. Fox, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act in relation to the lien created for the better security of mechanics and others erecting buildings and furnishing materials therefor," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Lawrence from the committee on the State Library, reported a bill entitled, "An act making appropriations for the State Library," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Treadwell, pursuant to notice, asked for and obtained leave to introduce a bill entitled, "An act for the relief of George W. Murray," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

Mr. Wilkin offered the following preamble and resolution, which were agreed to:

*Whereas*, The Normal School, established in the year 1844, for the education of teachers of common schools, was designed as an experiment; and *Whereas*, The time during which that experiment was to be made is about expiring, and it is important that the operation of the school since its establishment should be known, with a view to future legislative action; therefore

*Resolved*, That a committee of three be appointed, who shall inquire into the condition and operations of the said school, and report either at the present or next session, as to the expediency of continuing the same; and if they shall report in favor of its continuance, that they suggest some plan upon which it shall be conducted, together with such other matters connected with the said school, as they may deem important.

The President then named Mr. Wilkin, Mr. Hawley and Mr. Little as said committee.

The bill entitled, "An act in relation to the Orphan Asylum Society at Brooklyn," was then read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond

Mr. Cole  
Mr. Cook  
Mr. Fox  
Mr. Geddes

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell

Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Coffin		

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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The Bill entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' and the act amending the same, passed April 18, 1838," was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Clark	Mr. Johnson
Mr. Betts	Mr. Coffin	Mr. Lawrence
Mr. Bokee	Mr. Cole	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. Hawley	Mr. Treadwell

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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The bill entitled, "An act in relation to laying out private roads," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Tamblin
Mr. Bond	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin	Mr. Lawrence	

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*Ordered*, That the Clerk deliver the same to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845 ;" when Mr. Bond, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to the firemen in the several cities and villages of this State ;" when Mr. Betts, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to release the interest of the State in certain real estate of which John McLeish died seised;" when Mr. Geddes, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend an act passed September 28, 1847, entitled, 'An act to amend the charter of the village of Whitehall;'," when Mr. Treadwell, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845;" when Mr. S. H. P. Hall, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered to a third reading.

On motion of Mr. Treadwell,

The bill entitled, "An act to authorise Samuel W. Harned to construct a set of ways," was taken from the committee of the whole and referred to the committee on commerce and navigation.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to regulate the salary of the district attorney of the county of Broome;" when Mr. Martin, from said committee, reported in favor of the passage thereof without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to revive an act entitled, 'An act for the relief of the Shinecock tribe of Indians,' passed April 19, 1831;" when Mr. Hawley, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act for the appointment of inspectors of turnpikes in the several counties of this State;" when Mr. Ayrault, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him while acting as school commissioner for the town of New Berlin;" when Mr. Brownson, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising the sale of rights of preemption to real estate or chattels real, in certain cases,' passed November 22, 1847;" when

Mr. Coffin, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to organize the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842;" when Mr. Wilkin, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered engrossed for a third reading.

Mr. Treadwell then offered the following resolution, which was adopted :

*Resolved*, That the select committee on landlords and tenants be revived and continued, and that they have power to report on the petitions in their hands praying for the repeal of the equalization tax law, and such other petitions as may be referred to them.

Then the Senate adjourned until eleven o'clock to-morrow morning.

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## THURSDAY, 11 O'CLOCK, A. M., FEBRUARY 10, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Needham.

The journal of yesterday was read and approved.

Mr. Lawrence presented the petition of Haman Bokee and others for the incorporation of a society in the city of New-York for the protection of emigrants, which was referred to the committee on charitable and benevolent societies.

On motion of Mr. Treadwell,

The petition of William P. Van Rensselaer was taken from the committee on the judiciary and referred to the select committee on landlords and tenants.

Mr. Wilkin, from the committee on the judiciary, to which was referred petitions for that purpose, made a written report thereon, and also reported a bill entitled, "An act to repeal two certain acts for the benefit and relief of Francis Englishbee," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Brownson moved to reconsider the vote ordering the printing of five times the usual number of copies of the report of the chairman of the committee on literature, which motion was decided in the affirmative.

Mr. Brownson, from the committee on public printing, reported in favor of printing ten times the usual number of copies of said report, which report was agreed to, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Bond, from the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Clover Street Seminary," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed a bill entitled, "An act to release the interest of the State in certain real estate of which John McLeish died seised."

Mr. Williams, from the committee on the division of towns and counties, reported adversely to the passage of a bill from the Assembly entitled, "An act to provide for the compensation of town officers in the towns of Flatbush, New Utrecht, Bushwick, Flatlands and Gravesend," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the select committee to which was referred the bill from the Assembly entitled, "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Williams presented the report of the Ithaca Savings Bank, and the report of the Cayuga and Susquehannah Railroad Company, which were laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to reduce the capital stock of the Equitable Insurance Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act authorising the city of Albany to raise money by tax, and regulating the expenditures thereof," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Commissioners to settle with Hubbard Burdick for work done on the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned a bill entitled, "An act to incorporate the Clinton Monument Association," which was delivered to the Governor.

Mr. S. H. P. Hall, pursuant to notice, introduced a bill entitled, "An act limiting the issues of the incorporated banks of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Cook,

*Resolved*, That the Assembly be respectfully requested to transmit to the Senate the papers on file in their possession relative to the Saratoga Springs Academy and Scientific Institute; also the papers in relation to the claim of the heirs of Thomas Mott.

On motion of Mr. Bokee,

*Resolved*, That the committee on the judiciary be requested to report whether it is constitutional to direct the appointment of referees to hear testimony in equity cases, and whether, if constitutional, the state of the equity business before the courts, particularly in the first and second judicial districts, does not require that a power to appoint such referees should be vested in the supreme court.

On motion of Mr. Ayrault,

*Ordered*, That the petition of Silas Chapin and others for damages, be taken from the files of the Senate and referred to the committee on claims.

A bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," was read the third time, when the vote stood as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. Johnson	Mr. Whallon
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cole		

19

Three-fifths of all the members elected to the Senate not being present and voting thereon, said bill was laid on the table.

The bill from the Assembly entitled, "An act to revive an act entitled, 'An act for the relief of the Shinecock tribe of Indians,' passed April 19, 1831," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the appointment of inspectors of turnpikes in the several counties of this State," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin

21

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising the sale of rights of pre-emption to real estate or chattels real in certain cases,' passed November 22, 1847," was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Lawrence	Mr. Wilkin
Mr. Cook		

19

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to pay Russel B. Burch for costs and expenses incurred by him while acting as school commissioner for the town of New Berlin," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Brownson	Mr. Geddes	Mr. Martin
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Cole		

19

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act passed September 28, 1847, entitled, 'An act to amend the charter of the village of Whitehall,'" was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cole	Mr. Lawrence
Mr. Bond	Mr. Cook	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. Johnson	Mr. Whallon
		18

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the formation of corporations for manufacturing, mining, mechanical or chemical purposes;" when Mr. Johnson, from said committee, reported the same to the Senate with amendments, which report was agreed to, the amendments ordered engrossed, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to fix the time and place of holding the annual town meeting in the town of Salina;" when Mr. Cook, from said committee, reported the same to the Senate, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to authorise the formation of Gas Light Companies;" when Mr. Johnson, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Geddes,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. S. H. P. Hall, Mr. Cook, Mr. Fuller, Mr. Burch and Mr. Hawley, to consider and report complete.

The Senate then proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act for the incorporation of charitable, benevolent, scientific and other societies," heretofore made.

Debates being had thereon, without taking any question,

Then the Senate adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK A. M., FEBRUARY 11, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The journal of yesterday was read and approved.

Mr. Clark presented the petition of O. S. Williams and others for an alteration of the charter of the village of Clinton, in Oneida county, which was referred to the committee on the incorporation of cities and villages.

Mr. Betts presented the petition of members of the court and bar of Delaware county, requesting the repeal of the law abolishing the office of orier, which was referred to the committee on the judiciary.

Mr. Betts presented the petition of the board of supervisors of Delaware county to provide for electing a suitable person to perform the duties of county judge and surrogate, which was referred to the committee on the judiciary.

Mr. Little presented the petition and affidavit in relation to the division, and in favor thereof, of the town of Butternuts, which was referred to the committee on the division of towns and counties.

Mr. Geddes presented the petition of inhabitants of the town of Salina in relation to the boundaries of a new town in Onondaga county, which was referred to the committee on the division of towns and counties.

Mr. Ayrault presented the petition of citizens of Livingston county for a railroad from Geneseo to the Genesee Valley canal, which was referred to the committee on railroads.

Mr. Ayrault presented the remonstrance of citizens of Oneida co., against compelling the banks to redeem in New-York or Albany, at par, which was referred to the committee on banks and insurance companies.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the city of Albany to raise money by tax, and regulating the expenditure thereof," which was committed to the committee of the whole.

Mr. Cook, from the committee on claims, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the canal appraisers to appraise the damages sustained by the town of Alabama by the water of the canal feeder from the Tonawanda creek, and to provide for the payment thereof," which was committed to the committee of the whole.

Mr. Cook, from the same committee, to which was referred a petition for that purpose, made a written report, and also reported a bill entitled, "An act for the relief of George W. Murray," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Treadwell, from the committee on roads and bridges, reported in favor of the passage of a bill from the Assembly entitled, "An act relating to a public highway in the town of Kingston," which was committed to the committee of the whole.

Mr. Fuller, from the select committee for that purpose, reported in favor of the passage, with amendments, of a bill entitled, "An act to authorise the formation of Gas Light Companies," which report was agreed to, and the bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of canal damages sustained by Packard Bruce," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend the Revised Statutes entitled, 'Proceedings to compel the determination of claims to property in certain cases,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Assembly returned the bill entitled, "An act in relation to suits at law and equity arising in the county of Orleans," with a message informing that they had passed the same without amendment, which was delivered to the Governor.

On motion of Mr. Whallon,

*Ordered*, That the petition on file in the Senate praying for the passage of a law to amend the charter of the village of Plattsburg, be taken therefrom and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Little,

*Resolved*, That the honorable the Assembly be respectfully requested to transmit the papers on file in that House in relation to the division of the town of Butternuts, and that the same be referred to the committee on the division of towns and counties.

On motion of Mr. Fuller,

*Resolved*, That there be paid out of the contingent funds of the Senate, to Burgess Wands, thirty-six dollars, for twelve days he has attended upon the Senate in assisting the Clerk and other officers in the discharge of their duties during the present session, pursuant to the seventh section of title six of the first part of the Revised Statutes.

On motion of Mr. Hawley,

The resolution offered by him January 17, was referred to the committee on finance.

Mr. Johnson offered the following preamble and resolution, as a substitute for that proposed by the select committee on landlords and tenants:

*Whereas*, The people of this State have adopted, and hitherto adhered to, the wise and just policy of quieting titles to real estate, for the purpose of encouraging industry and improvement by protecting owners from the litigation and losses resulting from continued agita-

tion of questions concerning their titles ; and in pursuance of such policy, under the colonial government of the State, passed laws confirming and establishing the rights of persons possessing lands and manors under grants from the government, and limiting the time during which claims of the State or individuals adverse to such rights should be litigated ; and under the State government, by repeated legislative amendments, have established and confirmed the principle of the law as now enacted in the Revised Statutes, that "the people of this State will not sue or implead any person for or in respect to any lands, tenements or hereditaments, or for the rents, issues or profits thereof, by reason of any right or title of the people to the same, unless, 1st. Such right or title shall have accrued within twenty years before any suit or other proceeding for the same shall be commenced ; or unless, 2d. The said people, or those for whom they claim shall have received the rents and profits of such real estate, or some part thereof, within the said space of twenty years." And,

*Whereas*, Any directions of the Legislature in general terms, for the institution of proceedings for the recovery of lands held under colonial or State grants, would be an abandonment of the well settled policy and law of the State, and tend unjustly to excite doubts as to the titles of all persons holding under patents from the government, and prevent or delay the amicable adjustment of mutual claims, founded and depending upon the validity and stability of the laws and grants of the State ; therefore,

*Resolved*, That the direction or encouragement, by the Legislature, of litigation concerning rights long enjoyed by citizens under grants and confirmations of the State, would be contrary to the true policy and duty of the government, oppressive to citizens compelled to litigate with the power that should protect them, and would tend to diminish that confidence which citizens should ever feel in the justice and stability of the laws and acts of their government ; and if such litigation should be directed in the name and under the power of the State for any other purpose than a recovery for the sole benefit and use of the State, it would be a perversion of the powers of government from the duty of protection to purposes of maintenance and oppression.

A motion to print ten times the usual number, and also of the resolution of the select committee, was referred to the committee on public printing.

The bill from the Assembly entitled, "An act to authorise the formation of companies for manufacturing, mining, mechanical or chemical purposes," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee

Mr. Fox  
Mr. Fuller

Mr. Lawrence  
Mr. Little

Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

22

FOR THE NEGATIVE.

Mr. Betts  
Mr. Clark

Mr. Floyd

Mr. Tamblin

4

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same with amendments.

Mr. Wilkin, by unanimous consent, introduced two several bills entitled, "An act to provide for filling vacancies in the office of district attorney;" and also, "An act concerning the district attorney in the county of Sullivan," which were severally read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The President informed the Senate that he should be absent to-morrow and for several days thereafter, and that he made this statement that the Senate might elect a temporary president, according to the provisions of the Constitution.

Thereupon,

On motion of Mr. Johnson,

*Resolved*, That at 12 o'clock to-morrow the Senate will proceed to choose a temporary president.

The Senate then adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK A. M., FEBRUARY 12, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The Journal of yesterday was read and approved.

Mr. Boker presented the petition of Henry Guest and others for aid in the establishment of an experimental farm near the city of New-York, which was referred to the committee on agriculture.

Mr. Fuller presented the preamble and resolution of the board of education of the city of Rochester in relation to the bill entitled, "An act for the election of superintendents of common schools in the city of Rochester," which was referred to the committee on literature.

Mr. Tamblin presented the petition of the inhabitants of Jefferson county praying for the repeal or modification of the 35th section of the act to provide for the incorporation of companies to construct plank roads, &c., which was referred to the committee on roads and bridges.

Mr. Williams presented the petition of the inhabitants of Covert, Seneca county, for the division thereof, which was referred to the committee on the incorporation of cities and villages.

Mr. Burch presented an abstract from the town records relative to changing the name of Little Falls, which was referred to the committee on the incorporation of cities and villages.

Mr. Cole presented the petition of Moses Taggett and others praying for a law to remove the securities now in the hands of the clerk of the court of appeals to the county treasurers of the several counties, which was referred to the committee on the judiciary.

Mr. Ayrault from the committee on banks and insurance companies, to which were referred several petitions for that purpose, made a written report thereon, and also reported a bill entitled, "An act for the incorporation of banks," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Doc. No. 27.)

A motion to print ten times the usual number of copies of the report and bill, was referred to the committee on public printing.

Subsequently,

Mr. Brownson, from said committee, reported in favor thereof, which report was agreed to, a majority of all the members elected to the Senate voting in favor thereof.

Thereupon,

*Ordered,* That ten times the usual number of copies thereof be printed.

Mr. Bokee, from the committee on banks and insurance companies, reported in favor of the passage of a bill from the Assembly entitled, "An act to reduce the capital stock of the Equitable Insurance Company," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of a bill entitled; "An act concerning the district attorney of the county of Sullivan," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, also reported in favor of the passage of a bill entitled, "An act to provide for filling vacancies in the office of district attorney," which was committed to the committee of the whole.

Mr. Martin, from the committee on canals, reported adversely to the petition of the inhabitants of the town of Van Buren for a law to drain a swamp, which report was agreed to.

Thereupon,

*Resolved,* That the prayer of the petitioners be denied.

Mr. Fuller, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages sustained by Packard Bruce," which was committed to a committee of the whole.

Mr. Floyd, from the committee on grievance, reported in favor of the passage of a bill from the Assembly entitled, "An act to enable Mary Grogan to hold and convey certain real estate," which was committed to the committee of the whole.

The annual report of the bank for savings in the city of New-York for 1847 was received, and laid on the table.

A motion to print five times the usual number of copies of said report, was referred to the committee on public printing.

A communication in answer to the resolution of the Senate in reference to the claim of J. R. Green was received from the Attorney General, which was referred, with the accompanying papers, to the committee on claims.

The following communication was received from Mr. Clark, viz:

**TO THE PRESIDENT OF THE SENATE :**

SIR—I hereby resign the office of chairman of the committee on manufactures.

On motion of Mr. Tamblin,

Mr. Clark was excused from further service as chairman of said committee.

The bill from the Assembly entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," was then read a third time, when a majority of all the Senators elected to the Senate not voting in favor thereof, the bill was lost, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Brownson	Mr. Geddes	Mr. Martin
Mr. Burch	Mr. Hawley	Mr. Tamblin
Mr. Clark	Mr. Johnson	Mr. Whallon
Mr. Cole		

16

**FOR THE NEGATIVE.**

Mr. Cook	Mr. Smith	Mr. Wilkin
Mr. S. H. P. Hall		

4

On motion,

The vote was reconsidered and the bill read again, when the bill was lost, a majority of all the Senators elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cole	Mr. Hawley
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Little
Mr. Clark	Mr. Geddes	Mr. Williams
Mr. Coffin	Mr. W. Hall	

15

## FOR THE NEGATIVE

Mr. Brownson	Mr. Johnson	Mr. Tamblin
Mr. Cook	Mr. Martin	Mr. Wilkin
Mr. S. H. P. Hall		

7

A bill from the Assembly entitled, "An act to fix the time and place of holding the annual town meeting in the town of Salina," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fuller	Mr. Martin
Mr. Bond	Mr. Geddes	Mr. Smith
Mr. Brownson	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams
Mr. Cook	Mr. Lawrence	

23

*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the formation of Gas Light Companies," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Brownson	Mr. Geddes	Mr. Martin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	Mr. Tamblin
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3

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The hour of 12 o'clock having arrived, the Senate pursuant to their resolution, proceeded to the election of a temporary President.

Each Senator present openly nominating a temporary President, as follows :

*For Mr. Wilkin,*

Mr. Bokes	Mr. Cole	Mr. Lawrence	
Mr. Bond	Mr. Fuller	Mr. Little	
Mr. Brownson	Mr. Geddes	Mr. Martin	
Mr. Clark	Mr. W. Hall	Mr. Treadwell	
Mr. Coffin	Mr. Johnson		14

*For Mr. Smith,*

Mr. Floyd	Mr. Tamblin	Mr. Williams	
Mr. Hawley	Mr. Whallon		5

*For Mr. S. H. P. Hall,*

Mr. Burch	Mr. Cook		2
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*For Mr. Floyd,*

Mr. Smith			1
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*For Mr. Johnson,*

Mr. S. H. P. Hall			1
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Thereupon,

*Resolved*, That the Hon. Samuel J. Wilkin be, and he is hereby appointed, temporary President of the Senate.

Mr. Wilkin, on taking the chair, briefly addressed the Senate nearly as follows :

SENATORS—Allow me to return to you my sincere thanks for the unexpected honor which you have just devolved upon me. Unaccustomed as I am to preside in deliberative assemblies, it may be that I shall not do so to the entire satisfaction of the Senate. All that I can promise is, to bring into the chair which I shall temporarily occupy, a faithful desire to discharge its duties properly, and to the satisfaction of the Senate.

*Ordered*, That Mr. S. H. P. Hall and Mr. Cole wait upon the Governor, and inform him that the Senate have appointed the Hon. Sam'l J. Wilkin, temporary President.

*Ordered*, That Mr. Lawrence and Mr. Fuller wait upon the Assembly with a like message.

The said committees subsequently reported that they had performed the duties assigned them respectively.

The bill entitled, "An act to release the interest of the State in certain real estate of which John McLeish died seised," was read a third time, when the bill was laid on the table, two-thirds of all the members elected to the Senate not being present and voting, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cook		

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FOR THE AFFIRMATIVE.

Mr. Cole	Mr. Johnson
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A bill was returned from the Assembly with amendments entitled, "An act to authorise the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians," which amendments were concurred in as follows, and the bill returned to the Assembly :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fuller	Mr. Martin
Mr. Bond	Mr. Geddes	Mr. Smith
Mr. Brownson	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin	Mr. Johnson	Mr. Williams
Mr. Cole	Mr. Lawrence	

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Mr. Clark, by unanimous consent, offered several amendments to the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842," which bill was ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of insurance companies ;" when Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations for Sing Sing Prison ;"

when Mr. Smith, from said committee, reported progress thereon, and asked for and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of bridge companies;" when Mr. Hawley, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend the Revised Statutes entitled, 'Proceedings to compel the determination of claims to real property in certain cases,'" which report was agreed to, and the bill ordered to a third reading.

On motion of Mr. W. Hall,

*Resolved*, That the honorable the Assembly be respectfully requested to forward to the Senate the petition of George Wheeler and others for relief, and the accompanying papers, now on file in that House, and that the same be referred to the committee on canals.

Then the Senate adjourned until 11 o'clock Monday morning.

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## MONDAY, 11 O'CLOCK, A. M., FEBRUARY 14, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of Saturday was read and approved.

Mr. Little presented the petition of inhabitants of Plainfield, Otsego county, asking that witnesses in cases of criminal prosecutions may be paid for attendance, which was referred to the committee on the judiciary.

Mr. Little also presented the remonstrance of inhabitants of the town of Butternuts against the division of said town, which was referred to the committee on the division of towns and counties.

Mr. Adams presented the petition of the inhabitants of the county of Wayne for the amendment of the general banking law so that the basis of taxation of the free banks may be the same as the incorporated banks, which was referred to the committee on finance.

Mr. Ayrault presented the petition of citizens of Livingston county for an appropriation to Geneva College, which was referred to the committee on literature.

Mr. Geddes presented the petition of Edward A. Brown and others asking for an alteration in the plank road law, which was referred to the committee on roads and bridges.

Mr. Hawley presented the remonstrance of James L. Barton and others, citizens of Buffalo, against a draw in the bridge of the Buffalo and Hamburg Turnpike Company, which was referred to the committee of the whole when upon that subject.

Mr. Smith, from the committee on canals, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the Canal Commissioners to settle with Hubbard Burdick for work done on the Erie canal," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, reported adversely to the petition of inhabitants of the county of Jefferson in relation to the transportation of convicts to the State prisons, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Fuller gave notice that he would, at an early day, ask leave to bring in a bill to repeal the 5th, 6th, 7th, 8th, 9th and 10th sections of an act entitled, "An act in relation to the public works, and the officers connected therewith," passed May 12, 1847.

A bill was received from the Assembly for concurrence entitled, "An act for the appointment of commissioners of deeds in the cities of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 11, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the sale of lands in the Canadian and Nova Scotia Refugee tract, in the town of Plattsburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Cook,

*Resolved*, That the bill entitled, "An act to amend the act entitled, 'An act to organise the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,'" be recommitted to the committee of the whole.

Mr. Brownson offered the following resolution, which was referred to the committee on public printing:

*Resolved*, That ten times the usual number of copies of the general manufacturing law be printed in document form.

(See Senate Doc. No. 28.)

On motion of Mr. Lawrence,

The vote of the Senate discharging Mr. Clark from further service as chairman of the committee on manufactures was reconsidered, and the communication of Mr. Clark laid on the table.

On motion,

Mr. Clark obtained leave of absence for ten days, Mr. Betts for ten days, Mr. Cook for five days, and Mr. Smith for two days.

The bill from the Assembly entitled, "An act to amend the Revised Statutes entitled, 'Proceedings to compel the determination of claims to real property in certain cases,' " was read a third time and passed; a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. W. Hall	Mr. Tamblin
Mr. Burch	Mr. Hawley	Mr. Wilkin
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*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842;" when Mr. Bokee, from said committee, reported the same with amendments to the Senate, and recommended its passage, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of bridge companies;" when Mr. Adams, from said committee, reported the same to the Senate complete.

The question on agreeing to the report of the committee, was laid on the table.

Mr. Geddes moved that the same be made the special order for to-morrow, immediately after the reading of the journal, which motion was agreed to by the Senate.

Then the Senate adjourned until eleven o'clock to-morrow morning.

TUESDAY, 11 O'CLOCK, A. M., FEBRUARY 15, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Geddes presented the remonstrance of Joseph Foster and others against a draw in the bridge of the Buffalo and Hamburg Turnpike Company, which was referred to the committee of the whole.

Mr. Fuller presented the memorial of the directors of the Rochester City Hospital asking for an appropriation, which was referred to the committee on medical societies.

Mr. Cornwell presented the petition of the trustees of the First Presbyterian Society of Mentz praying for a law to authorise the conveyance of certain real estate, which was referred to the committee on charitable and religious societies.

Mr. Cornwell presented the petition of citizens of Cayuga county praying the passage of a law extending the time for Abram Rogers to take the oath of office as coroner, which was referred to the committee on the judiciary.

Mr. Cornwell presented the petition of citizens of Wayne county praying the continuation of the aid of the State to Geneva College, which was referred to the committee on literature.

Mr. Cornwell presented the petition of citizens of Scipio, Cayuga county, praying the passage of a law to remunerate Andrew Jackson for loss of time under an unjust sentence for crime of which he was found guilty, which was referred to the committee on the judiciary.

Mr. Tamblin presented the bill of C. Dexter for services rendered during the visit of Gen. Quitman, which was referred to the committee on retrenchments.

Mr. Bond presented the memorial of ship owners and others for a ship canal through Squaw Island, near Black Rock, which was referred to the committee on canals.

Mr. W. Hall presented the petition of Emanuel Russel and others for the establishment of an experimental farm near New-York, which was referred to the committee on agriculture.

Mr. Hall also presented the petition of W. H. Jones and others for a donation to the Washington Monument Association, which was referred to the committee on charitable and religious societies.

Mr. Cornwell presented the petition of citizens of Cayuga praying the passage of a law confirming the official acts of Samuel E. Day, associate justice of Cayuga county; and by unanimous consent introduced a bill entitled, "An act to confirm the official acts of Samuel E. Day, as one of the associate justices of the court of sessions in and for the county of Cayuga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Geddes,

The committee of the whole were discharged from the further consideration of the bill entitled, "An act to provide for the incorporation of bridge companies," and the bill referred to a select committee to report complete.

The Chair announced as such select committee, Messrs. Geddes, Hawley and Fuller.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend an act to incorporate the city of Rochester,' passed April 11, 1844," which was committed to the committee of the whole.

Subsequently the Senate spent some time in committee of the whole upon the said bill, when Mr. Tamblin, from said committee, reported the same to the Senate and recommended its passage, which report was agreed to, and the bill ordered to a third reading.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the report of the Bank for Savings in New-York, and of printing ten times the usual number of the manufacturing bill, which reports were agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany, which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, to which was referred a petition for that purpose, reported a bill entitled, "An act authorising certioraris from the decision of the canal appraisers," with the following resolution :

*Resolved*, That the petition of citizens of Rochester for the passage of a law in relation to certain claims for canal damages, and the bill in relation thereto reported by the standing committee on canals, be referred to the canal board, and that said board be respectfully requested to report to the Senate their opinion thereon, and the propriety of passing said bill.

A bill was returned from the Assembly entitled, "An act to authorise the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians," which was sent to the Governor.

Mr. Geddes, by unanimous consent, introduced a bill entitled, "An act to incorporate the Utica Water Works Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Hawley, by unanimous consent, introduced a bill entitled, "An act to authorise the taking of affidavits in certain cases, to be used on motions in actions at law and in equity," which was read

the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Fuller, by unanimous consent, introduced a bill entitled, "An act to authorise the supervisors of Monroe county to provide an office for the surrogate and increase his salary, and for the appointment and payment of a surrogate's clerk in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Bokee,

*Resolved*, That the bill entitled, "An act for the incorporation of charitable and benevolent scientific and other societies," be recommended to the committee on charitable and religious societies, to consider and report complete.

On motion of Mr. Fuller,

*Resolved*, That the honorable the Assembly be respectfully requested to transmit to the Senate the petitions, memorials and papers on the files of that House relating to the law library in the possession of the chancellor, and that they be referred to the committee on the judiciary.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to drain the Pacama, Fly and the Beaverville swamp, in the county of Ulster;" when Mr. Little, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the wife and heirs of Peter Alphonse Le Couteulx to take, hold and convey real estate;" when Mr. Burch, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the commissioners of highways of the town of Butternuts, to borrow money;" when Mr. Coffin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act providing compensation to Jonas A. Hugheston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845;" when Mr. Martin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton;" when Mr. Brownson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to the firemen in the several cities and villages of this State;" when Mr. Frost, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association;" when Mr. Ayrault, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then adjourned until eleven o'clock to-morrow morning.

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WEDNESDAY, 11 O'CLOCK, A. M., FEBRUARY 16, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford.

The journal of yesterday was read and approved.

Mr. Martin presented the memorial of merchants and others of Detroit for a ship canal through Squaw Island, at Black Rock, which was referred to the committee on canals.

Mr. Johnson presented the petition of Lee and Bunster and others for amendment of the law against usury, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of Henry O'Reily praying for a general telegraph law, which was referred to the committee on the judiciary.

Mr. W. Hall presented the petition of W. B. Astor, Stephen Whitney and others, for an alteration in the office of receiver and deputy receiver of taxes in the city of New-York, which was referred to the committee on the judiciary.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of a bill entitled, "An act to authorise the taking of affidavits in certain cases, to be used on motion in actions at law and in equity," which was committed to the committee of the whole.

Mr. Burch, from the select committee for that purpose, reported in favor of the passage of the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," which was referred to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, to which was referred the petition of the trustees of Washington Monument Association, reported adversely to said petition, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Little, from the committee on charitable and religious societies, reported complete, with amendments, the bill entitled, "An act for the incorporation of charitable, scientific, benevolent, and other societies," which report was laid on the table, and ordered printed as amended.

Mr. Geddes, from the select committee for that purpose, reported in favor of the passage, with amendments, of a bill entitled, "An act to provide for the incorporation of bridge companies," which report was agreed to, and the bill ordered engrossed for a third reading.

The Assembly sent for concurrence, resolutions in relation to French spoliations, which were read in the words following, to wit :

*Resolved*, (if the Senate concur,) That it is the bounden duty of the General Government, without further delay, to make provision for the payment of the claims of American citizens on account of spoliations committed by the French prior to the 30th day of September, A. D. 1800.

*Resolved*, (if the Senate concur,) That the Senators and Representatives of this State in Congress be and they are hereby earnestly requested to use their best exertions to promote the passage of a law in Congress to carry the above views into effect.

*Resolved*, (if the Senate concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives.

Referred to the committee on grievances.

The Assembly returned the bill entitled, "An act for the appointment of trustees of turnpikes in the several counties of this State," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to revive an act entitled, 'An act for the relief of the Shinnecock tribe of Indians,' passed April 19, 1831," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the formation of companies for manufacturing, mining, mechanical or chemical purposes," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the formation of Gas Light Companies," with a message informing that

they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Presbyterian congregation of Middleford, in the county of Niagara, to borrow money," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Mr. Hall, by unanimous consent, introduced a bill entitled, "An act to amend the act entitled, 'An act to amend an act entitled, 'An act for the adjustment of claims incurred for military purposes in the city of New-York, and for the distribution of commutation money received under the act passed May 3, 1846,' passed Nov. 27, 1847,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Adams,

*Resolved*, That the committee on the judiciary be requested to enquire into the expediency of so amending the "Act relating to the duty of assessors in making assessments, and correcting assessment rolls," as to compel all persons subject to taxation to present a statement of all their real and personal estate subject to taxation, verified by their oath or affirmation, to the assessors of the towns of which they are residents.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 11, 1844," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Johnson	

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to drain the Pacama Fly and Beaverkill swamp, in the county of Ulster," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members

elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall	
Mr. Ayrault	Mr. Cornwell	Mr. Johnson	
Mr. Bokee	Mr. Fox	Mr. Lawrence	
Mr. Bond	Mr. Frost	Mr. Little	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Bush	Mr. Geddes	Mr. Wilkin	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams	21

FOR THE NEGATIVE.

Mr. Tamblin	1
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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to regulate the salary of the district attorney of the county of Broome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Geddes	
Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall	
Mr. Bokee	Mr. Cornwell	Mr. W. Hall	
Mr. Bond	Mr. Fox	Mr. Little	
Mr. Brownson	Mr. Frost	Mr. Wilkin	
Mr. Bush	Mr. Fuller	Mr. Williams	18

FOR THE NEGATIVE.

Mr. Johnson	Mr. Martin	Mr. Tamblin	3
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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the wife and heirs of Peter Alphonse Le Conteulx to take, hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Frost	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Tamblin

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the commissioners of highways of the town of Butternuts to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Sente have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Johnson	

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**Ordered,** That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The report of the select committee on so much of the Governor's message as relates to the war with Mexico, was made the special order for Monday next, February 21.

The annual report of the trustees of Greenwich Savings Bank was received, and laid on the table.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to reduce the capital stock of the Equitable Insurance Company;" when Mr. Tamblin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations for Sing Sing prison;" when Mr. Brownson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to release to Jemima Rexford and others the bed of the old Erie canal at Rexford Flatts, in the county of Saratoga;" when Mr. S. H. P. Hall, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend the several acts in relation to fraudulent debtors;" when Mr. Fuller, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of insurance companies;" when Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany;" when Mr. Lawrence, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act in relation to the firemen in the several cities and villages of this State;" also,

"An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845;" also,

"An act for the relief of Eli Hamilton and Peter Hamilton."

The Senate then adjourned until eleven o'clock to-morrow morning.

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THURSDAY, 11 O'CLOCK, A. M., FEBRUARY 17, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Coffin presented the petition of Ludwig Brumleu for a divorce, which was referred to a select committee.

The President announced as such committee, Messrs. Coffin, Cole and Fuller.

Mr. Bokee presented the petition of John Townsend, president of the Albany Hydrant Company, for an amendment in its charter, which was referred to the committee on the judiciary.

Mr. Tamblin presented the petition of electors of the town of Lyme, in the county of Jefferson, praying for a division of said town and the erection of two new towns, which was referred to the committee on the division of towns and counties.

Mr. Ayrault presented the petition of citizens of Livingston county for the passage of a law making canal appraisers elective by the people, which was referred to the committee on privileges and elections.

Mr. Lawrence, from the committee on finance, reported adverse to the petition of the Albany and West Stockbridge Railroad Company, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Little, from the committee on charitable and religious societies, reported a bill entitled, "An act to authorise the administratrix and administrators of Joseph F. Osborn, deceased, to convey certain real estate in the town of Mentz," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Little, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the Presbyterian congregation of Middleford, in the county of Niagara, to borrow money," which was committed to the committee of the whole.

Mr. Martin, from the committee on canals, reported in favor of the passage of a bill from the Assembly entitled, "An act authorising the Canal Commissioners to lease the surplus waters of the Glens Falls feeder," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, to which was referred the petition for that purpose, reported a bill entitled,

**Ordered,** That the Clerk return the same to the Assembly ~~inform~~ inform them that the Senate have passed the same without amendment.

The report of the select committee on so much of the Governor's message as relates to the war with Mexico, was made the order for Monday next, February 21.

The annual report of the trustees of Greenwich Savings was received, and laid on the table.

The Senate then spent some time in committee of the whole on the bill from the Assembly entitled, "An act to reduce the stock of the Equitable Insurance Company;" when Mr. Tilden, from said committee, reported in favor of the passage of the bill, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on a bill entitled, "An act making appropriations for Sing Sing penitentiary;" when Mr. Brownson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on a bill from the Assembly entitled, "An act to release to Jemima Ford and others the bed of the old Erie canal at Rexford Freeport in the county of Saratoga;" when Mr. S. H. P. Hall, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on a bill from the Assembly entitled, "An act to amend the several laws in relation to fraudulent debtors;" when Mr. Fuller, from said committee, reported in favor of the passage of the same, which was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on a bill entitled, "An act to provide for the incorporation of insurance companies;" when Mr. Johnson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole on a bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of New York;" when Mr. Lawrence, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles to wit:

"An act in relation to the firemen in the several cities of this State;" also,

"An act providing compensation to Joseph H. Johnson, district attorney of the county of Delaware, for his services in said county during the year 1845;" also,

"An act for the relief of Eli Hamilton."

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DAY, 11 O'CLOCK, A. M., PRANK AND ...

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rant Company, for an amendment to the charter  
red to the committee on the judiciary  
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division of towns and counties

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- Little
- Martin
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- Wilkin
- Williams

the Assembly, and  
same without amend-

act to amend the seve-  
read a third time and  
d to the Senate voting

"An act making an appropriation to the Prison Association of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Williams, by unanimous consent, introduced a bill entitled, "An act to amend 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Williams,

*Resolved*, That the judiciary committee be requested to introduce a bill granting power to justices of the peace to issue warrants for the removal of non-paying tenants.

The bill entitled, "An act in relation to firemen in the several cities and villages of this State," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fuller	Mr. Lawrence
Mr. Bokee	Mr. Geddes	Mr. Little
Mr. Burch	Mr. S. H. P. Hall	Mr. Martin
Mr. Bush	Mr. W. Hall	Mr. Tamblin
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Johnson	Mr. Wilkin
Mr. Fox		

19

FOR THE NEGATIVE.

Mr. Cornwell

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bokee  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cornwell  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Wilkin  
Mr. Williams

10

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Burch  
Mr. Bush  
Mr. Cole  
Mr. Cornwell

Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. Johnson  
Mr. Lawrence

Mr. Little  
Mr. Martin  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

16

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the several acts in relation to fraudulent debtors," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Fuller, by unanimous consent, introduced a bill entitled, "An act to authorise the supervisors of Monroe county to provide an office for the surrogate and increase his salary, and for the appointment and payment of a surrogate's clerk in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Bokee,

*Resolved*, That the bill entitled, "An act for the incorporation of charitable and benevolent scientific and other societies," be recommended to the committee on charitable and religious societies, to consider and report complete.

On motion of Mr. Fuller,

*Resolved*, That the honorable the Assembly be respectfully requested to transmit to the Senate the petitions, memorials and papers on the files of that House relating to the law library in the possession of the chancellor, and that they be referred to the committee on the judiciary.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to drain the Pacama, Fly and the Beaverkill swamp, in the county of Ulster;" when Mr. Little, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the wife and heirs of Peter Alphonse Le Couteulx to take, hold and convey real estate;" when Mr. Burch, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the commissioners of highways of the town of Butternuts, to borrow money;" when Mr. Coffin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act providing compensation to Jonas A. Hugston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845;" when Mr. Martin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton;" when Mr. Brownson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act in relation to the firemen in the several cities and villages of this State;" when Mr. Frost, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association;" when Mr. Ayrault, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then adjourned until eleven o'clock to-morrow morning.

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WEDNESDAY, 11 O'CLOCK, A. M., FEBRUARY 16, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford.

The journal of yesterday was read and approved.

Mr. Martin presented the memorial of merchants and others of Detroit for a ship canal through Squaw Island, at Black Rock, which was referred to the committee on canals.

Mr. Johnson presented the petition of Lee and Bunster and others for amendment of the law against usury, which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of Henry O'Reily praying for a general telegraph law, which was referred to the committee on the judiciary.

Mr. W. Hall presented the petition of W. B. Astor, Stephen Whitney and others, for an alteration in the office of receiver and deputy receiver of taxes in the city of New-York, which was referred to the committee on the judiciary.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of a bill entitled, "An act to authorise the taking of affidavits in certain cases, to be used on motion in actions at law and in equity," which was committed to the committee of the whole.

Mr. Burch, from the select committee for that purpose, reported in favor of the passage of the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," which was referred to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, to which was referred the petition of the trustees of Washington Monument Association, reported adversely to said petition, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Little, from the committee on charitable and religious societies, reported complete, with amendments, the bill entitled, "An act for the incorporation of charitable, scientific, benevolent, and other societies," which report was laid on the table, and ordered printed as amended.

Mr. Geddes, from the select committee for that purpose, reported in favor of the passage, with amendments, of a bill entitled, "An act to provide for the incorporation of bridge companies," which report was agreed to, and the bill ordered engrossed for a third reading.

The Assembly sent for concurrence, resolutions in relation to French spoliations, which were read in the words following, to wit:

*Resolved*, (if the Senate concur,) That it is the bounden duty of the General Government, without further delay, to make provision for the payment of the claims of American citizens on account of spoliations committed by the French prior to the 30th day of September, A. D. 1800.

*Resolved*, (if the Senate concur,) That the Senators and Representatives of this State in Congress be and they are hereby earnestly requested to use their best exertions to promote the passage of a law in Congress to carry the above views into effect.

*Resolved*, (if the Senate concur,) That the President of the Senate and the Speaker of the Assembly be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives.

Referred to the committee on grievances.

The Assembly returned the bill entitled, "An act for the appointment of trustees of turnpikes in the several counties of this State," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to revive an act entitled, 'An act for the relief of the Shinnecock tribe of Indians,' passed April 19, 1831," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the formation of companies for manufacturing, mining, mechanical or chemical purposes," with a message informing that they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the formation of Gas Light Companies," with a message informing that

they had concurred in the amendments of the Senate, and passed the same accordingly.

Thereupon,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Presbyterian congregation of Middleford, in the county of Niagara, to borrow money," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

Mr. Hall, by unanimous consent, introduced a bill entitled, "An act to amend the act entitled, 'An act to amend an act entitled, 'An act for the adjustment of claims incurred for military purposes in the city of New-York, and for the distribution of commutation money received under the act passed May 3, 1846,' passed Nov. 27, 1847,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Adams,

*Resolved*, That the committee on the judiciary be requested to enquire into the expediency of so amending the "Act relating to the duty of assessors in making assessments, and correcting assessment rolls," as to compel all persons subject to taxation to present a statement of all their real and personal estate subject to taxation, verified by their oath or affirmation, to the assessors of the towns of which they are residents.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 11, 1844," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Bronson	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Johnson	

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to drain the Pacama Fly and Beaverkill swamp, in the county of Ulster," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members

elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Bokea	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Frost	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Tamblin	1
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to regulate the salary of the district attorney of the county of Broome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Geddes
Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Bokea	Mr. Cornwell	Mr. W. Hall
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Wilkin
Mr. Bush	Mr. Fuller	Mr. Williams

18

FOR THE NEGATIVE.

Mr. Johnson	Mr. Martin	Mr. Tamblin	3
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the wife and heirs of Peter Alphonse Le Conteulx to take, hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Frost	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams

21

**FOR THE NEGATIVE.**

Mr. Tamblin

1

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to authorise the commissioners of highways of the town of Butternuts to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the charter of the Troy and Greenbush Railroad Association," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cornwell	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Johnson	

20

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have passed the same without amendment.

The report of the select committee on so much of the Governor's message as relates to the war with Mexico, was made the special order for Monday next, February 21.

The annual report of the trustees of Greenwich Savings Bank was received, and laid on the table.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to reduce the capital stock of the Equitable Insurance Company;" when Mr. Tamblin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations for Sing Sing prison;" when Mr. Brownson, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to release to Jemima Rexford and others the bed of the old Erie canal at Rexford Flatts, in the county of Saratoga;" when Mr. S. H. P. Hall, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend the several acts in relation to fraudulent debtors;" when Mr. Fuller, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the incorporation of insurance companies;" when Mr. Johnson, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany;" when Mr. Lawrence, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act in relation to the firemen in the several cities and villages of this State;" also,

"An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845;" also,

"An act for the relief of Eli Hamilton and Peter Hamilton."

The Senate then adjourned until eleven o'clock to-morrow morning.

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THURSDAY, 11 O'CLOCK, A. M., FEBRUARY 17, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Coffin presented the petition of Ludwig Brumleu for a divorce, which was referred to a select committee.

The President announced as such committee, Messrs. Coffin, Cole and Fuller.

Mr. Bokee presented the petition of John Townsend, president of the Albany Hydrant Company, for an amendment in its charter, which was referred to the committee on the judiciary.

Mr. Tamblin presented the petition of electors of the town of Lyme, in the county of Jefferson, praying for a division of said town and the erection of two new towns, which was referred to the committee on the division of towns and counties.

Mr. Ayrault presented the petition of citizens of Livingston county for the passage of a law making canal appraisers elective by the people, which was referred to the committee on privileges and elections.

Mr. Lawrence, from the committee on finance, reported adversely to the petition of the Albany and West Stockbridge Railroad Company, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Little, from the committee on charitable and religious societies, reported a bill entitled, "An act to authorise the administratrix and administrators of Joseph F. Osborn, deceased, to convey certain real estate in the town of Mentz," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Little, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the Presbyterian congregation of Middleford, in the county of Niagara, to borrow money," which was committed to the committee of the whole.

Mr. Martin, from the committee on canals, reported in favor of the passage of a bill from the Assembly entitled, "An act authorising the Canal Commissioners to lease the surplus waters of the Glens Falls feeder," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, to which was referred the petition for that purpose, reported a bill entitled,

"An act making an appropriation to the Prison Association of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Williams, by unanimous consent, introduced a bill entitled, "An act to amend 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Williams,

*Resolved*, That the judiciary committee be requested to introduce a bill granting power to justices of the peace to issue warrants for the removal of non-paying tenants.

The bill entitled, "An act in relation to firemen in the several cities and villages of this State," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fuller	Mr. Lawrence
Mr. Bokee	Mr. Geddes	Mr. Little
Mr. Burch	Mr. S. H. P. Hall	Mr. Martin
Mr. Bush	Mr. W. Hall	Mr. Tamblin
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Johnson	Mr. Wilkin
Mr. Fox		

19

FOR THE NEGATIVE.

Mr. Cornwell

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act for the relief of Eli Hamilton and Peter Hamilton," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bokee  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cornwell  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Wilkin  
Mr. Williams

10

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to amend the charter of the Mutual Insurance Company of the city and county of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Burch  
Mr. Bush  
Mr. Cole  
Mr. Cornwell

Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. Johnson  
Mr. Lawrence

Mr. Little  
Mr. Martin  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

16

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the several acts in relation to fraudulent debtors," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Little
Mr. Ayrault	Mr. Fuller	Mr. Martin
Mr. Bokee	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Johnson	Mr. Williams
Mr. Cole	Mr. Lawrence	

17

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill from the Assembly entitled, "An act to reduce the capital stock of the Equitable Insurance Company," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fox	Mr. Little
Mr. Ayrault	Mr. Fuller	Mr. Martin
Mr. Bokee	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Cornwell		

19

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the election of justices of the justices' court and of police justices in the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to annex a part of the town of Sheldon to the town of Orangeville," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend the fifty-first section of an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act authorising the commissioners of highways of the town of Moriah to borrow a sum of money," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations for the Western House of Refuge;" when Mr. Bush, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act in relation to a public highway in the town of Kingston;" when Mr. Ayrault, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to enable Mary Grogan to hold and convey certain real estate;" when Mr. Little, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the supervisors of Monroe county to raise money to build a bridge across the Genesee river;" when Mr. Cole, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act in relation to the supervisors of the county of Rensselaer;" when Mr. Coffin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to amend the act entitled, 'An act to amend the law in relation to suits against foreign corporations;" when Mr. Cornwell, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act authorizing the Canal Commissioners to lease the surplus waters of Glens Falls feeder;" when Mr. Lawrence, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to authorise the Canal Commissioners to settle with Hubbard Burdick for work done on the Erie canal;" when Mr. Whallon, from said committee, reported in favor of striking out the enacting clause.

A motion was then made to restore the enacting clause, which was laid on the table.

Then the Senate adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK A. M., FEBRUARY 18, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford.

The journal of yesterday was read and approved.

Mr. Bush presented three several petitions for a draw in the Hamburg-street bridge over the Buffalo creek, which was committed to the committee of the whole.

On motion of Mr. W. Hall,

The judiciary committee was discharged from the further consideration of the petition of Wm. B. Astor and others in reference to the office of receiver of taxes in the city of New-York, and the same was referred to the Senators from the 3d, 4th, 5th and 6th Senate districts.

Mr. Smith presented the petition for an act to provide for the repair of the road of the Philipstown Turnpike Company and to obtain a dissolution of the charter of said company, which was referred to the committee on roads and bridges.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of a bill from the Assembly entitled, "An act to annex a part of the town of Sheldon to the town of Orangeville," which was committed to the committee of the whole.

Mr. Johnson, from the committee on canals, to which was referred petitions for that purpose, introduced two several bills with the following titles, to wit: "An act for the formation of railroad companies," also "An act to incorporate the Albany and Cohoes Railroad Company," which were severally read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

By unanimous consent,

Five times the usual number of copies of the report of Mr. Johnson, and the bill for the formation of railroad companies, were ordered to be printed.

Mr. Fox, from the committee on the division of towns and counties, to which were referred petitions for that purpose, reported a bill entitled, "An act for the division of the town of Sandlake and to erect the town of Poestenkill," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Allen, from a select committee for that purpose, reported a bill entitled, "An act for the relief of Ludwig Brumlen," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cornwell, by unanimous consent, presented the petition of the Florida Bridge Company praying for compensation for damages caused by the erection of a dam by the Canal Commissioners, which was referred to the committee on claims.

The following message was received from the Governor:

EXECUTIVE CHAMBER, }  
Albany, Feb. 10, 1848. }

TO THE SENATE:

I have this day approved and signed bills entitled, as follows:

"An act authorising Patrick Walsh to convey real estate;"

"An act in relation to the courts held in and for the county of Livingston;"

"An act to incorporate the Clinton Monument Association."

February 16.

"An act authorising the Syracuse and Tully Plank Road Company to construct their road on the highway running through the lands belonging to the Onondaga Indians;"

"An act in relation to suits at law and equity arising in the county of Orleans."

JOHN YOUNG.

Mr. Johnson, by unanimous consent, introduced a bill entitled, "An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," which was read the first time, and by unanimous consent was also read a second time, and referred to the Comptroller for his opinion thereon.

On motion of Mr. Coffin,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill for the relief of Ludwig Brum-leu, and that the bill be ordered to be engrossed for a third reading.

Leave of absence was granted to Mr. Johnson for 2 days, and to Mr. Little for 10 days.

Then the Senate adjourned until eleven o'clock to-morrow morning.

SATURDAY, 11 O'CLOCK A. M., FEBRUARY 19, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The Journal of yesterday was read and approved.

Mr. Tamblin presented the petition of citizens of the town of Lyme, Jefferson county, praying for a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Whallon presented the remonstrance of 350 citizens of Brooklyn against any alteration in the act providing for opening Washington Park, which was referred to the select committee having said matter in charge.

Mr. Williams presented the petition of inhabitants of Covert, Seneca county, to be attached to Tompkins county, which was referred to the committee on the division of towns and counties.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill entitled, "An act to incorporate the Utica Waterworks Company," which was committed to the committee of the whole.

Mr. Bokee, from the same committee, also reported a bill entitled, "An act to amend an act entitled, 'An act to incorporate the Albany Hydrant Company, in the city of Albany,' passed April 12, 1844," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Brownson, from the committee on public printing, reported in favor of printing five times the usual number of copies of the resolutions of the committee on landlords and tenants; also the same number of the resolution offered by Mr. Johnson as a substitute for the same.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed a bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842."

Mr. S. H. P. Hall, from the same committee, also reported a bill entitled, "An act for the relief of Ludwig Brumleu," which bill was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush

Mr. Cook  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller

Mr. Hawley  
Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon

Mr. Coffin  
Mr. Cole

Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Wilkin  
Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Wilkin presented the petition of Jacob T. Walden for the repeal of the act entitled, "An act to incorporate the Walden Company," passed March 20, 1832, and for other purposes, which was referred to the committee on the judiciary.

A bill was returned from the Assembly entitled, "An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

On motion of Mr. Cook,

The committee on claims were discharged from the further consideration of the petition of the Florida Bridge Company, and the same was referred to the committee on canals.

On motion of Mr. Cornwell,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to this body the papers and petition on their files for the relief of John Oliphant.

The bill entitled, "An act to release the interest of the State in certain real estate of which John McLeish died seised," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley

Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

25

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorize the supervisors of Monroe county to raise money to build a bridge across the Genesee river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act relating to a public highway in the town of Kingston," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Smith
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. Hawley	Mr. Williams
Mr. Cole	Mr. Lawrence	

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill from the Assembly entitled, "An act in relation to the supervisors of the county of Rensselaer," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Smith
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Whallon

Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Wilkin  
Mr. Williams

23

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend the act entitled, "An act to amend the law in relation to suits against foreign corporations," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Brownson  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cook  
Mr. Cornwell  
Mr. Fine  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall

Mr. Lawrence  
Mr. Smith  
Mr. Tamblin  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

18

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act to release to Jemima Rexford and others the bed of the old Erie canal at Rexford Flatts, in the county of Saratoga," was recommitted to the committee of the whole.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to remove obstructions below the ship lock at Lower Black Rock in the Niagara river;" when Mr. Adams, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to provide for the construction of a railroad from Albany to Cohoes;" when Mr. Bush, from said committee, reported progress, and obtained leave to sit again.

A communication was received and read, as follows:

At a meeting of the board of the Young Men's Association in this city, it was unanimously

*Resolved*, That the honorable the members of the Senate be invited to unite with this Association, on the evening of the 22d of February inst., in celebrating the anniversary of the birth-day of the Father of his country.

GEO. B. STEELE, Pres't.

JOHN R. HUMPHRY, Sec'y.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act to amend an act entitled, "An act to provide for the construction of a railroad from the navigable waters of the great western lakes to lake Champlain," passed May 14, 1845,"

when Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act authorising the Canal Commissioners to lease the surplus waters of the Glens Falls feeder;" when Mr. Williams, from said committee, reported the same to the Senate, which report was laid on the table.

A report from the Commissioners of the Land Office on the petition of Nicholas B. Doe was received, and referred to the committee on claims, and ordered printed.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act for a division of the town of Sandlake, and to erect the town of Poestenkill;" when Mr. Treadwell, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered engrossed for a third reading.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations for the Western House of Refuge;" when Mr. Bush, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Then the Senate adjourned until 11 o'clock Monday morning.

MONDAY, 11 O'CLOCK, A. M., FEBRUARY 21, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Caughey.

The journal of Saturday was read and approved.

Mr. Hawley presented the petition of citizens of Steuben county asking for a law taxing debts due to foreigners, which was referred to the committee on finance.

Mr. Bush presented the petition of citizens of Chautauque county for a railroad from Buffalo to Irving, which was referred to the committee on railroads.

Mr. Bush presented the petition of J. Lawrence Smith and others praying for the establishment of an agricultural school near the city of New-York, which was referred to the committee on agriculture.

Mr. Bush also presented the remonstrance of E. Walden and others against a draw in the bridge of the Buffalo and Hamburg Turnpike Company, which was referred to the committee of the whole.

Mr. Tamblin presented the petition of citizens of Jefferson county praying for the incorporation of a company to construct a railroad from Sackets' Harbor to Saratoga Springs," which was referred to the committee on railroads.

Mr. Tamblin also presented the petition of the bar of Jefferson county praying an alteration in the law in relation to the judiciary, which was referred to the committee on the judiciary.

Mr. Tamblin also presented the remonstrance of inhabitants of the town of Lyme against a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Frost presented the petition of A. L. Smith and others for the establishment of an agricultural school near the city of New-York, which was referred to the committee on agriculture.

Mr. Lawrence presented the memorial of the mayor and aldermen of the city of New-York praying to be authorised to resell certain lands and tenements for taxes and assessments in said city, which was referred to the committee on finance.

Mr. Adams offered the following preamble and resolution, which was adopted :

*Whereas*, The anniversary of the birth of George Washington will occur on Tuesday the 22d February inst., therefore

*Resolved*, That from respect to the memory of that distinguished statesman and patriot, the Senate will not meet to-morrow, and that when it adjourns, it adjourn to meet on Wednesday the 23d inst., at the usual hour.

On motion of Mr. Fine,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to send back to the Senate the engrossed bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845."

On motion of Mr. Lawrence,

*Resolved*, That the report of the committee on finance adverse to the petition of the Albany and West Stockbridge Railroad Company, together with the said petition, be referred back to said committee.

Mr. Wilkin gave notice that he would, at some early day, ask leave to bring in a bill to increase the pay of the associate justices of Orange county.

On motion of Mr. Hawley,

The bill entitled, "An act to amend the Revised Statutes relating to the duty of assessors in making assessments and correcting assessment rolls," was taken from the table and referred to the committee on the judiciary.

The bill entitled, "An act making appropriations for Sing Sing Prison," was recommitted to the committee on State prisons.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act making appropriations for the Western House of Refuge."

A bill entitled, "An act for the division of the town of Sandlake and to erect the town of Poestenkill," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act making appropriations for the Western House of Refuge," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Frost	Mr. Wilkin
Mr. Coffin	Mr. Fuller	Mr. Williams

24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then proceeded to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the war with Mexico, and the resolutions reported by the majority of said committee in the words following, to wit :

*Resolved,* That the war now pending between the United States and Mexico, had its origin in the annexation of Texas to the United States, which measure itself had its origin in the principal design of extending the political power of slavery in this country.

*Resolved,* That the immediate cause of hostilities between the United States and Mexico, was the orders of the President of the United States directing the army under General Taylor, to move from its position at Corpus Christi to the Rio Grande ; that the territory bordering on the left bank of the Rio Grande had been, and then was, possessed by Mexican citizens, owing and yielding allegiance to the Mexican nation ; that the invasion of the territory by the American army, was a hostile act directed by the President, without authority from Congress, and whilst it was in actual session.

*Resolved*, That the acquisition of foreign territory, by conquest, is at war with the principles of our government, fosters a spirit adverse to the permanency of our institutions, and should receive the disapprobation of all who regard the stability of our government more than the extension of our boundaries and the splendor of our arms.

*Resolved*, That it is our own, and, as we believe, the unalterable determination of the people of this State, that while this war ought not to be prosecuted for the acquisition of any territory whatever, if such territory be, by any means acquired, it shall never, with our consent, become a part of the American Union, except on the condition "that there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crime."

*Resolved*, That in the opinion of the Senate, a peace might have been obtained at the conference in September last, between the American and Mexican commissioners, on terms, having reference to and covering every original ground of difference between the two countries, had there been a sincere desire, on the part of the President, to secure that blessing to the country—that the only substantial reason why peace was not then concluded, and upon terms honorable to both nations, was the demand of the President, as his *ultimatum*, of the dismemberment of Mexico, by compelling her to cede parts of the three Mexican States of Tamaulipas, Coahuila and Chihuahua, all of New Mexico and the whole of Upper California, comprising an area of more than 600,000 square miles, and a large population desirous of remaining a part of the Mexican family; that upon this demand, so humiliating to the pride of Mexico, the conference was broken off and the war renewed.

*Resolved*, That whatever may have been the real or just causes or objects of the war, up to the period of the conference, the President of the United States is responsible to the country for the renewal and continuance of the war, after that period, for the purpose of compelling Mexico, by the terror of our arms, to cede to the United States the territories above referred to.

*Resolved*, That we are unalterably opposed to the acquisition of any territory, by conquest or otherwise, other than the cession, to be voluntarily offered by Mexico, of the Harbor and Bay of San Francisco, with such convenient and adjoining territory, as may be agreed on, and of the left bank of the Rio Grande, (should Mexico prefer such cession to the payment in money,) as an indemnity for the claims of our citizens on the Mexican government. That such cession may be received with advantage and without apparent injury or hazard to any public interest.

*Resolved*, That in the opinion of the Senate, it is the duty of Congress to limit the further prosecution of the war, to the attainment of peace on the following terms, viz:

1. That the United States shall be quieted in the possession of the proper territory of Texas.

2. That the desert between the Nueces and the Rio Grande be made the boundary of Texas, unless Mexico shall relinquish the left bank of the Rio Grande for a just equivalent.

3. That Mexico shall pay, or give us ample security or indemnity, for the just claims of our citizens on the Mexican government.

*Resolved*, That the project, made apparent, from the measures of the National Administration, from avowals of public men, representing the people and the States of this Union, and from the proceedings of respectable conventions of a large party in the Nation, of subjugating Mexico and annexing it to the American Union, whether springing from criminal ambition or mistaken philanthropy, meets with our decided, unqualified disapprobation. That we regard the extension of our laws and institutions over other countries and nations, from the motive, often avowed, of bettering their condition, as the results of a dangerous fanaticism, that cannot be too early checked nor too severely reprobated. That the United States will best promote the cause of public liberty and the establishment of free, enlightened institutions in other countries, by exhibiting to the world the example of a Republican Government, cultivating with diligence the arts of peace, and governed, in all its relations and measures, by justice and humanity.

*Resolved*, That the government of the United States may, without any sacrifice of national honor, with the view of bringing an unhappy war to a conclusion, act with magnanimity and forbearance, in settling the terms of a treaty between the two Republics. That Mexico, with a distracted government, rent by intestine commotions and with an empty treasury, is an object of compassion rather than vengeance. That the United States cannot justify herself to the civilized world, in continuing a war repugnant to the spirit of the age, by exacting terms with which her enemy cannot comply without deep humiliation and a sacrifice of national honor. That the cession of large portions of her territory, and the transfer of large masses of her reluctant population to a foreign power, different in habits, religion, laws and language, are terms to which the United States herself, would not submit, under any pressure of calamity, and which she should never impose on a sister republic. That forced obedience to our authority, however admirable our institutions, is at variance with the principles promulgated in our Declaration of Independence—is in conflict with the settled policy of our government and the sense of justice inherent in our people, and would be deeply deplored by every friend to free institutions and civil liberty throughout the world.

*Resolved*, That the army of the United States, in the pending war with Mexico, have already established, what never could have been doubted, the superiority of our arms over the enemy; that, acting under orders which they were bound to obey, they have manifested a patriotism, never, but in our early annals, surpassed, and have gained victories that will compare, for skill, valor and devotion, with the brightest achievements in the history of any nation.

*Resolved*, That if Mexico shall refuse to adjust the differences between the two nations, on the terms, substantially set forth in the preceding resolutions—if, disregarding the obligations of justice, she shall continue a contest so disastrous to her people and revolting to the humanity of the age, she will become, from that period, responsible for the continuance of the war; that under such circumstances, the honor of the American nation and the spirit of the American people will demand that the war be vigorously prosecuted, as the only means of obtaining, what is greatly to be desired, a speedy, permanent and honorable peace.

Mr. Fuller offered the following as a substitute for the second resolution :

*Resolved*, That the immediate cause of hostilities between the United States and Mexico was the order of the President of the United States, without authority from Congress, and whilst in actual session, directing the army under General Taylor to move from its position at Corpus Christi to the left bank of the lower Rio Grande, into a territory in the exclusive possession of Mexico, and over which she had ever exercised exclusive and uninterrupted jurisdiction.

Mr. Cornwell proposed the following substitute for the fourth resolution :

*Resolved*, That it is our own, and, as we believe, the unalterable determination of the people of this State, that if, at the conclusion of this war Mexican territory shall be ceded to this republic, it shall never, with our consent, become a part of the American Union, except upon the condition "that there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crime."

Mr. Bush moved to amend the eighth resolution, so that it would read as follows :

*Resolved*, That, in the opinion of the Senate, it is the duty of Congress to exert its efforts for the attainment of peace, on the following terms, viz :

And to make the third proposition read—

3. That Mexico shall pay, or give us ample security or indemnity, for the just claims of our citizens on the Mexican Government, leaving it to Mexico, at her option, in giving us such indemnity, to cede to the United States, for an equivalent, the harbor and bay of San Francisco, and such territory along with it and on the Rio Grande as is referred to in the next succeeding resolution.

Which substitutes and amendments were severally agreed to by the Senate.

After debates being had on said resolutions, without taking any question,

*Ordered*, That the same be made the special order for Wednesday next.

A report of the Comptroller on the bill entitled, "An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," was received, which, with the accompanying papers, was referred to the committee on finance.

A message was received from the Assembly, requesting that the petition and papers on file in the Senate for the relief of Harman Terwilliger, be transmitted to the Assembly.

The Assembly transmitted to the Senate the papers in relation to the claim of the heirs of Thomas Mott.

Two petitions in relation to the Chancellor's law library were received from the Assembly, and referred to the committee on the judiciary.

The Senate then adjourned until 11 o'clock Wednesday morning.

WEDNESDAY, 11 O'CLOCK, A. M., FEBRUARY 23, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Caughey.

The journal of Monday was read and approved.

Mr. Lawrence presented the petition of George H. Patterson and Rob't D. Patterson relative to house and lot No. 197 Cherry-street, New-York city, which was referred to the committee on the judiciary.

Mr. Lawrence also presented a petition for a savings bank in the city of New-York, which was referred to the Senators from the first judicial district.

Mr. Johnson presented two petitions for a railroad from Buffalo through Irving to State Line, which was referred to the committee on railroads.

Mr. Fuller presented the petition of citizens of Monroe county for a law to remove the funds and securities in the hands of the clerk of the court of appeals to the several counties, which was referred to the committee on the judiciary.

Mr. S. H. P. Hall presented the remonstrance of citizens of Lisle, Broome county, against legalising acts of commissioners of highways in said town, which was referred to the committee of the whole.

Mr. Floyd presented two several petitions for the passage of a bill to incorporate the Long Island Canal and Navigation Company, which was referred to the committee of the whole.

Mr. Geddes presented the petition of 300 citizens of Syracuse praying for the passage of a law to protect the rights of married women, which was referred to the committee on the judiciary.

Mr. Geddes also presented the petition of inhabitants of Van Buren, in the county of Onondaga, in reference to the dam across the Seneca river at Baldwinsville, which was referred to the committee on canals.

Mr. Tamblin presented the petition of the county judge and others in the county of Jefferson for the appointment of criers for courts of record, which was referred to the committee on the judiciary.

Mr. Hawley presented the petition of inhabitants of Steuben co., asking for a law to tax debts of non-residents, which was referred to the committee on finance.

Mr. Clark presented the petition of John Bryan for a law securing the wages of laborers on the public works, which was referred to the committee on the judiciary.

Mr. Clark presented the remonstrance of A. B. Johnson relative to the passage of a law for incorporating banks, which was referred to the committee of the whole having in charge the bill to which the remonstrance refers.

Mr. Clark presented the petition of Asa Willis and others for the appointment of commissioners to lay out a road in the towns of Schuyler and Freeport, which was referred to the committee on roads and bridges.

Mr. Cook, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of John Swift," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported a bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on State prisons, reported a bill entitled, "An act in relation to the Clinton State Prison," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the same committee, reported a bill entitled, "An act in relation to the removal of convicts from one State prison to another," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the same committee, reported in favor of the passage, with amendments, of a bill entitled, "An act making appropriations for Sing Sing Prison," which was committed to the committee of the whole.

Mr. Burch, from the committee on commerce and navigation, reported a bill entitled, "An act to incorporate the New-York and Staten Island Steam Ferry Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported a bill entitled, "An act to provide for increasing the library and apparatus of the Brockport Collegiate Institute," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The following message was received from the Governor :

EXECUTIVE CHAMBER, }  
 Albany, Feb. 19, 1848. }

TO THE SENATE :

I have this day approved and signed a bill entitled,—

“An act to authorise the agent of the State prison at Auburn to embank and fill up certain lands.”

JOHN YOUNG.

The Assembly returned the bill entitled, “An act to amend ‘An act to incorporate the village of Canton,’ passed May 13, 1845,” which was referred to the committee on the incorporation of cities and villages.

The report of the commissioners of emigration and the annual report of the Commissioners of the Canal Fund, were received.

A motion to print five times the usual number of copies of said reports, was referred to the committee on public printing.

By unanimous consent,

Mr. S. H. P. Hall introduced a bill entitled, “An act to protect laborers on public works,” which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. Hawley introduced a bill entitled, “An act to amend an act entitled, ‘An act in relation to the foreclosure of mortgages,’ passed May 7, 1844,” which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Martin,

*Resolved*, That the Senate will, on and after Monday the 26th inst., meet at 10 o'clock A. M.

Mr. Lawrence offered the following resolution, which was agreed to by the Senate :

*Resolved*, That the Comptroller report to the Senate an abstract of the returns made to his office to the first July last, in accordance with the Revised Statutes, by the several insurance companies incorporated by this State in the city of New-York, and also the names of such companies as have neglected to make such returns ; and further an abstract of the returns made by foreign insurance companies doing business in said city who are required by law to report to him, and the amount of taxes paid by said companies respectively within the last year into the State Treasury.

On motion of Mr. Geddes,

*Resolved*, That the affidavits of O. W. Childs and others, on file in the Senate, relating to the claim of Isaac Thompson and others, be taken therefrom and delivered to the petitioners, to be used before the Canal Board on the hearing of said claim.

The bill entitled, “An act to provide for the incorporation of bridge companies,” was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. Geddes	Mr. Wilkin

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## FOR THE NEGATIVE.

Mr. Bush	Mr. Hawley	Mr. Tamblin
Mr. Floyd	Mr. Smith	

5

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. W. Hall	Mr. Williams

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## FOR THE NEGATIVE.

Mr. Floyd	
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands, and to fill in the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Smith,

Leave of absence was granted to Mr. Whallon for 10 days.

The Senate then again, pursuant to order, proceeded to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the war with Mexico, and the resolutions reported by the majority of said committee, as read in the journal of the 21st inst.

Debates being had thereon, without taking any question,

On motion of Mr. Coffin,

*Ordered*, That said reports and resolutions be made the special order for to-morrow.

The Senate then spent some time in committee of the whole upon a bill entitled, "An act making appropriations to the Sing Sing prison;" when Mr. Cornwell, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Then the Senate adjourned until eleven o'clock to-morrow morning.

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## THURSDAY, 11 O'CLOCK, A. M., FEBRUARY 24, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Martin presented the memorial of inhabitants of Oswego in relation to the Oswego bridge, which was referred to the committee on roads and bridges.

Mr. Tamblin presented the petition of inhabitants of the county of Jefferson praying for the incorporation of a company to construct a railroad from Sackets Harbor to Saratoga Springs, which was referred to the committee on railroads.

Mr. Geddes presented the petition of John J. Hopper praying to be relieved from further payment on land purchased by him of the State, which was referred to the committee on claims.

Mr. Geddes also presented the petition of inhabitants of the county of Wayne praying that the laws which authorize the sale of intoxicating-drinks may be repealed, and for other purposes, which was referred to the committee on grievances.

Mr. Williams presented the petition of the officers of the town of Wright, in Schoharie county, for a division thereof, which was referred to the committee on the division of towns and counties.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of a bill entitled, "An act to protect laborers on railroads," which was committed to the committee of the whole.

Mr. Fine, from the committee on the judiciary, reported a bill entitled, "An act to provide for the election of local judicial officers," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Cook, from the committee on claims, reported adversely to the petition of David Tomlinson and others for relief, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Geddes, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act authorising the commissioners of highways of the town of Moriah to borrow a sum of money," which was committed to the committee of the whole.

Mr. Smith, from the committee on roads and bridges, reported adversely to the petition of Asa Willis and others for laying out a road in the towns of Schuyler and Frankfort, which report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands, and to fill in the same," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Brownson, from the committee on public printing, reported in favor of printing the usual number and 800 extra copies of the annual report of the Commissioners of the Canal Fund, for the use of the Legislature, and 400 for the use of the Commissioners of the Canal Fund; also the usual number of copies of the report of the Commissioners of Emigration, and 800 extra copies for the use of the Legislature, which reports were agreed to, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of a bill entitled, "An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," which was committed to the committee of the whole.

By unanimous consent,

Mr. Lawrence presented the petition of the mayor and aldermen of the city of New-York in relation to the assessment law of April 9, 1813, which was referred to a select committee composed of the Senators from the first judicial district.

By unanimous consent.

Mr. Brownson presented the petition of the Attica and Hornellsville Railroad Company for an amendment of their charter, which was referred to the committee on railroads.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of a bill from the Assembly entitled, "An act to authorise the Exchange Bank of Genesee to change its place of business," which was committed to the committee of the whole.

Mr. Ayrault, from the committee on banks and insurance companies, reported, with amendments, the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company,' passed May 12, 1836," and with the title thereof altered so as to read as follows: "An act in relation to the business of mutual insurance companies," which was recommitted to the committee of the whole.

A bill was received from the Assembly for concurrence entitled, "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act relating to riots," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act making the office of district attorney of the county Delaware a salary office," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence a preamble and resolutions in relation to flogging seamen, which were read and laid on the table.

Mr. Coffin gave notice that he would ask leave, at some future day, to bring in a bill to abolish capital punishment.

On motion of Mr. Cook,

*Resolved*, That the papers in relation to the claim of James H. Sherrill, late superintendent of canals, be taken from the files and referred to the committee on canals.

On motion of Mr. Cornwell,

*Resolved*, That a select committee of three be appointed, to investigate relative to the management of the State prison at Sing Sing, and the condition of said prison, its finances and indebtedness, with power to send for persons and papers; and that said committee be au-

thorised to sit at such times and places as shall by them be deemed necessary for the purpose of such investigation.

The President announced as such committee, Messrs. Cornwell, Smith and Treadwell.

On motion of Mr. Williams,

*Resolved*, That the Comptroller be requested to report, at his earliest convenience, whether in his opinion the bank fund stock, issued in behalf of insolvent safety fund banks, in accordance with an act passed April 28, 1845, is sufficiently secure and safe; if it is not, what additional contribution should be required of the existing safety fund banks, in order to make it so; and also whether an additional contribution should be required to protect bill holders against future loss, in case of the insolvency of any of said banks.

The bill entitled, "An act making appropriations for the Sing Sing prison," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Goffin	Mr. S. H. P. Hall	

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#### FOR THE NEGATIVE.

Mr. Burch	Mr. Fine	Mr. Hawley
Mr. Clark	Mr. Floyd	Mr. Smith

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then again, pursuant to order, proceeded to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the Mexican war, and the resolutions reported by the majority of said committee as read in the journal of the 21st inst.

Debate being had thereon, without taking any question,

Mr. Fuller moved that the further consideration of the report be laid on the table, and made the special order for Saturday next, which motion was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Geddes
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Cornwell	Mr. Johnson

Mr. Bond	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Floyd	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Treadwell
Mr. Clark	Mr. Fuller	20

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," with a message informing that they had passed the same with the amendments therewith delivered, and with the title altered so as to read as follows: "An act in relation to the seal of Broome county."

The President put the question upon concurring in said amendments, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Cornwell	Mr. Hawley
Mr. Bond	Mr. Fine	Mr. Johnson
Mr. Brownson	Mr. Frost	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	20

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have concurred in their amendments thereto and have amended the same accordingly.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the settlement of the claims of Jonathan S. Caulkins and Eddy Cole, for work done on the Erie canal enlargement," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act authorising the appraisal and payment of canal damages to Henry B. Opp," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of canal damages of Ezra Wood," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Cole,

Leave of absence was granted to Mr. Coffin for 4 days.

Then the Senate adjourned until eleven o'clock to-morrow morning.

FRIDAY, 11 O'CLOCK A. M., FEBRUARY 25, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Caughey.

On motion of Mr. Johnson,

The reading of the journal of yesterday was dispensed with.

Mr. Lawrence having announced the intelligence of the death of John Quincy Adams, Ex-President of the United States,

On his motion,

*Resolved*, That a select committee of three be appointed on the part of the Senate, to meet with a committee on the part of the Assembly, to report resolutions &c. expressive of the sense of the Legislature relative to the decease of Ex-President Adams, and that the Senate will meet at 12 o'clock at noon of this day for the purpose of hearing the report of said committee; and in case the Assembly consent thereto, that Mr. Lawrence, Mr. Fine and Mr. Cole be of said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly, and request their concurrence therein.

Afterwards,

The Assembly returned said resolution, with a message informing that they had concurred therein, and had appointed Mr. Raymond, Mr. Coe, Mr. Stewart, Mr. Holmes and Mr. Wager, of said committee on the part of the House.

On motion of Mr. Cornwell,

The Senate then took a recess until 12 o'clock at noon.

12 O'CLOCK, M.

The Senate again met.

Mr. Lawrence, from the joint select committee on the part of the Senate, reported resolutions expressive of the sense of the Legislature relative to the decease of Ex-President John Quincy Adams, report as follows:

The proceedings of the two houses this morning have sufficiently announced the death of John Quincy Adams, late President of the United States. While in the actual discharge of his duties as a member of Congress, he was struck down in the Representative Chamber by the hand of death, and expired, after a few hours of unconsciousness, within the walls of the capitol of the Union.

The life of Mr. Adams has been one of long and untiring devotion to the service of his country. But a few years after he reached the age of manhood, he was sent on a diplomatic mission abroad, and has, since that time, been almost uninterruptedly engrossed by public duties. He has been called to and has discharged with almost unsurpassed ability the most eminent offices in the Government of the United States, and among them the highest station in the gift of the people.

Talents of the highest order, genius of the loftiest grade, intellectual acquirement almost without limit, unwearying perseverance and industry, and a purity of purpose, and conduct without fear and without reproach, have stamped the character of Mr. Adams on the age in which he lived, and enrolled his name high among those of its most conspicuous worthies. His principles and actions will form the theme of the historian and the biographer, who will find in it an ample field for interesting research and admiring commentary.

The joint committee of the two houses, to whom the subject was referred, have instructed me to report the following resolutions, as expressive of their feelings on this sad occasion :

*Resolved*, That the Legislature of the State of New-York have heard with deep sorrow of the death of John Quincy Adams, formerly President of the United States. Yet while we deplore the great and irreparable loss which the Union has thus sustained, the sentiment is mingled with an elevated pride, in the important, long continued and varied services he has rendered to his country ; in the intelligence and ardor with which he has, on all occasions, sustained our national rights, interests and honor ; and in the fearless integrity that has marked his conduct in private and public life.

*Resolved*, That the death of this great man within the walls of the capitol of the United States, and while in the performance of his duties as a Representative of the people, was an appropriate close of his active, patriotic and distinguished career.

*Resolved*, That the condolence of the Legislature of the State of New-York be presented to the widow and children of the deceased, upon the sad bereavement which has removed from their domestic circle its venerable and illustrious head.

*Resolved*, That the joint committee be authorised, and are hereby requested, to make such arrangements as they may deem proper for the commemoration of this solemn event, by the delivery of an oration before the two Houses, by some distinguished citizen.

*Resolved*, As a testimony of respect, that the two Houses of the Legislature do now adjourn.

After the report of the committee was made,

Mr. Fine addressed the Senate as follows :

Mr. President, I second these resolutions. I served with Mr. Adams in the 26th Congress, and enjoyed his personal acquaintance. He was emphatically a great man. He was great in the compass, the energy, the activity, and the treasures of his mind. He was great in his diplomatic and controversial correspondence, and in congressional debates. He was a great man in the purity of his personal, his domestic and his political character. He was a statesman without reproach. His integrity was above suspicion, and his patriotism without a stain. He was a statesman without fear. He had an indomitable spirit of resistance to every thing which bore the appearance of oppression. Probably his moral courage surpassed that of any man living.

In paying this respect to the illustrious dead, the Senate will not

only soothe the grief of surviving relatives, but hold up for imitation a bright example of patriotism and virtue.

The President put the question upon agreeing to the resolutions reported by said committee, and it was decided in the affirmative.

The Senate then adjourned until eleven o'clock to-morrow morning.

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SATURDAY, 11 O'CLOCK A. M., FEBRUARY 26, 1848.

The Senate met pursuant to adjournment.

The Journal of Thursday and yesterday were read and approved.

Mr. Tamblin presented three several petitions from inhabitants of Jefferson county, praying for the incorporation of a company to construct a railroad from Sackets Harbor to Saratoga Springs, which were referred to the committee on railroads.

Mr. Treadwell presented the petition of forwarders, lumber dealers, &c., of the city of Albany, for the enlargement of the Buffalo harbor by the construction of a draw in the toll bridge across the creek at Buffalo, which was referred to the committee of the whole having in charge a bill on that subject.

Mr. Fuller presented the petition of citizens of Monroe county for the sale of lands for taxes in the counties where they are located, which was referred to the committee on finance.

Mr. Burch presented the remonstrance of William Deyermant and James Davis against authorising S. W. Harned to construct a set of ways for launching vessels, which was referred to the committee on commerce and navigation.

Mr. Johnson presented the petition of sundry members of the bar for a continuance of the salaries of the Chancellor and Justices of the (old) Supreme Court beyond the 1st July, 1848, which was referred to the committee on the judiciary.

Mr. Bond presented the petition of the inhabitants of Lenox, Madison county, asking the passage of a law that shall absolutely prohibit all traffic in ardent spirits, which was referred to the committee on the judiciary.

Mr. Bush, from the committee on agriculture, to which was referred the several petitions for that purpose, reported a bill entitled, "An act to authorise the American Institute to establish an agricultural college and experimental farm," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 93.)

Mr. S. H. P. Hall, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and for the appointment of a marshal," which, by unanimous consent, was ordered to a third reading.

Mr. Tamblin, from the committee on banks and insurance companies, reported in favor of the passage of a bill from the Assembly entitled, "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York," which was committed to the committee of the whole.

The annual report of the governors of the New-York Hospital was received, and laid on the table.

(See Senate Doc. No. .)

The report of the Comptroller in answer to a resolution of the Senate relative to the returns of insurance companies &c. was received, and laid on the table.

(See Senate Doc., No. 41.)

The report of the Comptroller in answer to a resolution of the Senate of the 24th inst., requesting his opinion as to the sufficiency of the bank fund stock issued in behalf of insolvent safety fund banks, in accordance with an act passed April 28, 1845, was received and laid on the table.

By unanimous consent,

Mr. Bond introduced a bill entitled, "An act to cede certain lands to the village or city of Oswego, as the case may be," which was read the first time, and by unanimous consent was also read a second time, and referred to the Commissioners of the Land Office for their report thereon.

By unanimous consent,

Mr. Treadwell introduced a bill entitled, "An act to extend the time for the collection of taxes in the county of Albany," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

The bill from the Assembly entitled, "An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bond  
Mr. Brownson

Mr. Cornwell  
Mr. Fine  
Mr. Frost

Mr. Hawley  
Mr. Johnson  
Mr. Martin

Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Cole

Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Tamblin  
Mr. Treadwell

19

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then again, pursuant to order, proceeded to the further consideration of the reports of the majority and minority of the select committee upon so much of the Governor's message as relates to the existing war with Mexico, and the resolutions reported by the majority of said committee, as read in the journal of the 21st inst.

Debates being had thereon, without taking any question,

*Ordered*, That the said reports and resolutions be laid on the table, and made the special order for Monday next.

The bill entitled, "An act to extend the time for the collection of taxes in the county of Albany," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell

19

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The report of the Attorney General on the petition of the first christian party of the Oneida Indians was received, and referred to the committee on Indian affairs.

(See Senate Doc. No. 35.)

On motion of Mr. Lawrence,

*Ordered*, That the petition of Beverly Robinson, trustee and executor of William James St. John, deceased, and of other creditors of said St. John, presented at the last session, and the papers connected therewith, be taken from the files of the Senate and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Ayrault for 6 days, and to Mr. W. Hall and Mr. Bokee for one week each.

By unanimous consent,

Mr. Hawley presented the petition of citizens of Steuben county for the passage of a law to tax the property and debts of non-residents, which was referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to fix the salary of the recorder of the city of Buffalo," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of Watervliet," which was laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act to incorporate the village of Madison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A message was received from the Assembly, requesting the Senate to transmit to that House the petition and accompanying papers relative to the claim of George Wheeler and others.

*Ordered,* That the Clerk transmit said papers, in pursuance of said request.

The Assembly returned the bill entitled, "An act to relieve the Reformed Dutch Church of Poughkeepsie from the operation of an act entitled, 'An act to equalise taxation,' passed May 13, 1846," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered,* That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajaquada creek in the town of Black Rock,' passed April 28, 1847," with a message informing that they had passed the same with the amendments therewith delivered.

The President put the question upon concurring in said amendments, and the vote was as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Brownson	Mr. Floyd	Mr. Lawrence
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cornwell	Mr. Hawley	

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Two-thirds of all the members elected to the Senate not voting upon said question, said bill was laid on the table.

The Assembly returned the bill entitled, "An act in relation to the seal of Broome county," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of New Scotland," which was laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of Clayton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Then the Senate adjourned until 10 o'clock Monday morning.

# MONDAY, 10 O'CLOCK, A. M., FEBRUARY 28, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Leahey.

Mr. Floyd having moved a call of the Senate, the following named Senators answered to their names; to wit:

Mr. Adams	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cole	Mr. Johnson	Mr. Wilkin

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A quorum of the Senate not being in attendance,

On motion of Mr. S. H. P. Hall,

The Sergeant-at-Arms was directed to require the attendance of Senators who were not absent on leave.

Afterwards,

A quorum of the Senate being in attendance,

On motion of Mr. Smith,

All further proceeding under said call were suspended.

The journal of Saturday was then read and approved.

Mr. Treadwell presented the petition of forwarders and dealers in produce, and those interested in the North river carrying trade, for a draw in the toll bridge across Buffalo creek in order to enlarge Buffalo harbor, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Geddes presented the petition of 177 inhabitants of the towns of Van Buren, Elbridge and Lysander, in the county of Onondaga,

in relation to the Baldwinsville milldam, which was referred to the committee on canals.

Mr. S. H. P. Hall presented the petition of citizens of Broome county for the protection of laborers on canals and railroads, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Floyd presented the petition of James Rider and others, inhabitants of Astoria, L. I., for the establishment of an experimental farm near the city of New-York under the superintendence of the American Institute, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Floyd also presented the petition of the Ontario Steam and Canal Boat Company for the repeal of the law which requires them to pay damages in cases of casualty where death ensues, which was referred to the committee on grievances.

Mr. Clark presented the petition of A. Munson and others for the repeal of the law authorising a recovery of damages for causing death by wrongful act, neglect or default, passed Dec. 13, 1847, which was referred to the same committee.

Mr. Tamblin presented the petition of inhabitants of the town of Lyme, in the county of Jefferson, praying for the division of said town, which was referred to the committee on the division of towns and counties.

Mr. Lawrence presented the application of the mayor, aldermen and commonalty of the city of New-York, for the repeal of the act of Dec. 1, 1847, transferring the Marine Hospital and Quarantine ground to the commissioners of emigration, which was referred to the committee on commerce and navigation.

Mr. Geddes, from the committee on roads and bridges, to which was referred the several petitions for that purpose, reported in writing, and asked for and obtained leave to report a bill entitled, "An act to reduce the tolls of the Oswego Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 110, and Senate Doc. No. 36.)*

A motion to print five times the usual number of copies of said report, was referred to the committee on public printing.

Mr. Wilkin, from the committee on the judiciary, to which were referred petitions for that purpose, reported a bill entitled, "An act to continue the compensation of the Chancellor and Justices of the Supreme Court," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage of the bill entitled, "An act relating to chattel mortgages for the city of Rochester," which was committed to the committee of the whole.

*(See Senate Bills Nos. 95 & 100.)*

Mr. Cole, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act to effectuate letters patent heretofore issued to Mary Englishbee," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 94.)

Mr. Cole, from the same committee, reported in favor of the passage of three several bills from the Assembly, with the following titles, to wit:

"An act in relation to the sale of lands in the Canadian and Nova Scotia Refugee tract in the town of Plattsburgh;" also

"An act to provide for the election of justices of the justices' court and the police justices in the city of Albany;" also

"An act for the appointment of commissioners of deeds in the cities of this State," which were severally committed to the committee of the whole.

Mr. Fox, from the committee on the division of towns and counties, reported, with amendments, the bill entitled, "An act to erect the town of North Butternuts in the county of Otsego," which was recommitted to the committee of the whole.

(See Senate Bills No. 45 & 95.)

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act making the office of district attorney of the county of Delaware a salary office," which was committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of a bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the town of Clayton," which was committed to the committee of the whole.

Mr. Lawrence, from the select committee to which was referred the petition for that purpose, reported a bill entitled, "An act amending an act entitled, 'An act to reduce the several laws relating particularly to the city of New-York into one act,' passed April 9, 1813," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorize the mayor, aldermen and commonalty of the city of New-York to resell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase moneys received from former sales of such lands and tenements," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lawrence, from the select committee to which was referred the petition for that purpose, reported a bill entitled, "An act to in-

corporate the East River Savings Bank," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 108.)

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act relating to riots," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage, with amendments, of the bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," which was committed to the committee of the whole.

(See Senate Bill No. 82.)

By unanimous consent,

Mr. Hawley introduced a bill entitled, "An act to levy a tax on town of Hornelsville," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Afterwards, by unanimous consent,

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of said bill, which, by unanimous consent, was ordered to a third reading.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill authorising the election, in the city of Utica, of three additional supervisors.

Mr. Johnson moved that the Senate now proceed to the consideration of the concurrent resolutions reported by the committee on railroads in relation to the powers of the Legislature in passing a general railroad bill, which motion was decided in the negative.

The Assembly returned the bill entitled, "An act to extend the time for the collection of taxes in the county of Albany," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Senate then again, pursuant to order, proceeded to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the war with Mexico, and the resolutions reported by the majority of said committee, as read in the journal of the 21st inst.

The question being upon agreeing to said resolutions,

Mr. Wilkin withdrew the seventh and eighth resolutions reported by the majority of said committee.

Mr. S. H. P. Hall then called for a division of the same, so that the question should be taken upon said resolutions separately.

The first of said resolutions was then read in the words following, to wit:

*Resolved*, That the war now pending between the United States and Mexico, had its origin in the annexation of Texas to the United

States, which measure itself had its origin in the principal design of extending the political power of slavery in this country.

Mr. Floyd called for a division of the question upon agreeing to said resolution.

The President then put the question upon agreeing to the first branch of said resolution, which ascribes the origin of the war to the annexation of Texas to the United States, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Floyd	Mr. Johnson
Mr. Burch	Mr. Fox	Mr. Lawrence
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Smith
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cornwell		

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FOR THE NEGATIVE.

Mr. Tamblin

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The President then put the question upon agreeing to the second branch of said resolution, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Burch	Mr. Fox	Mr. Johnson
Mr. Bush	Mr. Frost	Mr. Lawrence
Mr. Clark	Mr. Fuller	Mr. Martin
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cornwell		

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FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Fine	Mr. Hawley	Mr. Tamblin

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The second of said resolutions was then read in the words following, to wit :

*Resolved*, That the immediate cause of hostilities between the United States and Mexico was the order of the President of the United States, without authority from Congress, and whilst in actual session, directing the army under General Taylor to move from its position at Corpus Christi to the left bank of the lower Rio Grande, into a territory in the exclusive possession of Mexico, and over which she had ever exercised exclusive and uninterrupted jurisdiction.

Mr. Geddes moved to amend said resolution by striking out thereof the words "into a territory," and inserting in lieu thereof the words "which was," which motion was decided in the affirmative.

The President then put the question upon agreeing to said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Brownson	Mr. Cook	Mr. Geddes	
Mr. Burch	Mr. Cornwell	Mr. Johnson	
Mr. Bush	Mr. Fox	Mr. Lawrence	
Mr. Clark	Mr. Frost	Mr. Martin	
Mr. Cole	Mr. Fuller	Mr. Wilkin	15

FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith	
Mr. Fine	Mr. Hawley	Mr. Tamblin	6

The third of said resolutions was then read in the words following, to wit :

*Resolved*, That the acquisition of foreign territory, by conquest, is at war with the principles of our government, fosters a spirit adverse to the permanency of our institutions, and should receive the disapprobation of all who regard the stability of our government more than the extension of our boundaries and the splendor of our arms.

Debates being had thereon, without taking any question,

*Ordered*, That the further consideration of said reports and resolutions be laid on the table, and made the special order for to-morrow.

By unanimous consent,

Mr. Wilkin introduced a bill entitled, "An act providing for the holding of a special term of the court of sessions of Sullivan county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act amending an act entitled, 'An act incorporating the Saratoga and Washington Railroad Company,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed a bill entitled, "An act to levy a tax upon the town of Hornelsville."

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Brownson	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cornwell	Mr. Hawley	

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Then the Senate adjourned until ten o'clock to-morrow morning.

## TUESDAY, 10 O'CLOCK, A. M., FEBRUARY 29, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The journal of yesterday was read and approved.

Mr. Fox presented the petition of E. S. Fox and others, of Greene county, praying for the passage of a law to prohibit the sale of intoxicating drinks, which was referred to the committee on the judiciary.

Mr. Tamblin presented the petition of inhabitants of the town of Lyme, in the county of Jefferson, praying for a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Bond presented the petition of inhabitants of Scriba and Oswego, praying for an amendment of the charter of the Oswego Bridge Company, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Cook presented the remonstrance of citizens of Whitehall and others, against allowing the Saratoga and Washington Railroad Company to carry freight upon payment of the same amount of toll per mile as imposed upon freight carried on the canal between the village of Whitehall and the cities of Troy and Albany, which was referred to the committee on railroads.

Mr. Cook presented the remonstrance of several individuals interested in real estate connected with the port of Whitehall, against any division of the revenues of the State drawn from the Champlain canal to the treasuries of the several railroad companies along its line; and also against the passage of any bill allowing the Saratoga and Washington railroad to bridge Lake Champlain or any navigable waters, and their petition for the repeal of all laws giving such privileges, which were referred to the same committee.

Mr. Fuller presented the memorial of the New-York Vaccine Institute for an appropriation, which was referred to the committee on medical societies and colleges.

Mr. S. H. P. Hall, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill from the Assembly entitled, "An act to fix the salary of the recorder of the city of Buffalo," which was committed to the committee of the whole.

Mr. Fox, from the committee on the division of towns and counties, to which was referred the several petitions for that purpose, reported a bill entitled, "An act to divide the town of Lyme and to erect the town of Cape Vincent, in the county of Jefferson," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 101.)

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill from the Assembly entitled, "An act amending an act entitled, 'An act incorporating the Saratoga and Washington Railroad company,'" which was committed to the committee of the whole.

Mr. Cook, from the committee of claims, reported adversely to the petition of Michael Fallen for relief, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act providing for the holding of a special term of the court of sessions in the county of Sullivan," which, by unanimous consent, was ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of Salina," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

On motion of Mr. Geddes, and by unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost

Mr. S. H. P. Hall  
Mr. Johnson  
Mr. Martin  
Mr. Smith  
Mr. Tamblin

Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Fuller  
Mr. Geddes

Mr. Treadwell  
Mr. Wilkin

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Johnson gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the heirs and devisees of Johanna Holthuysen.

The Senate then again, pursuant to order, proceeded to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the war with Mexico, and the resolutions reported by the majority of said committee.

The question being upon agreeing to the third resolution reported by the majority of said committee, as read in the journal of yesterday.

Debate was had thereon, and without taking any question,

Mr. Fine moved to lay the further consideration of said reports and resolutions upon the table, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Cook

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Hawley  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell

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FOR THE NEGATIVE.

Mr. Bond  
Mr. Clark  
Mr. Cole

Mr. Frost  
Mr. Fuller  
Mr. Johnson

Mr. Lawrence  
Mr. Martin  
Mr. Wilkin

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A bill was received from the Assembly for concurrence entitled, "An act to repeal an act entitled, 'An act to divide the town of Redfield in the county of Oswego,' passed February 21, 1843," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bond

Mr. Fine  
Mr. Floyd

Mr. Hawley  
Mr. Johnson

Mr. Brownson	Mr. Fox	Mr. Lawrence	
Mr. Burch	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Smith	
Mr. Clark	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall		20

A bill was received from the Assembly for concurrence entitled, "An act in relation to the annual town meetings in the towns of Oswego and Scriba for the year 1848," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cornwell	Mr. Hawley	
Mr. Bond	Mr. Fine	Mr. Johnson	
Mr. Brownson	Mr. Floyd	Mr. Lawrence	
Mr. Burch	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Frost	Mr. Smith	
Mr. Clark	Mr. Fuller	Mr. Tamblin	
Mr. Cole	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall		23

*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill entitled, "An act providing for the holding of a special term of the court of sessions in the county of Sullivan," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cornwell	Mr. Hawley	
Mr. Bond	Mr. Fine	Mr. Johnson	
Mr. Brownson	Mr. Floyd	Mr. Lawrence	
Mr. Burch	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Frost	Mr. Smith	
Mr. Clark	Mr. Fuller	Mr. Tamblin	
Mr. Cole	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin	24

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President put the question upon concurring with the Assembly in their amendment to the bill entitled, "An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain cer-

tain lands near Skajaquada creek in the town of Black Rock,' passed April 28, 1847," and said amendment was concurred in, three-fifths of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Bond	Mr. Fine	Mr. Johnson
Mr. Brownson	Mr. Floyd	Mr. Lawrence
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Frost	Mr. Smith
Mr. Clark	Mr. Fuller	Mr. Tamblin
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin

24

*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have concurred in their amendment thereto, and have amended the same accordingly.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act providing for the election of city superintendent of common schools of the city of Rochester by the electors of said city," and Mr. Frost, from said committee, reported said bill with amendments.

The first amendment reported by said committee was as follows :

Add to the end of first section the words,

"But nothing herein contained shall be so construed as to allow any of said officers so elected, to enter upon the duties of such offices until the expiration of the terms of office of the present incumbents."

The president put the question upon agreeing thereto, and it was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fox	Mr. Hawley
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Tamblin
Mr. Fine	Mr. S. H. P. Hall	Mr. Treadwell

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## FOR THE NEGATIVE.

Mr. Bond	Mr. Cole	Mr. Johnson
Mr. Burch	Mr. Cornwell	Mr. Lawrence
Mr. Clark	Mr. Fuller	Mr. Wilkin

9

On motion of Mr. Fuller,

The further consideration of the report of the committee of the whole upon said bill, was laid on the table.

The Senate then adjourned until ten o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 1, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkin.

The journal of yesterday was read and approved.

Mr. Floyd presented the petition of John R. Sayre and 40 other inhabitants of Bridgehampton, Suffolk county, for the incorporation of the Long Island Canal Company, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Adams presented the petition of inhabitants of the county of Erie praying for an amendment of the law taxing free banks, which was referred to the committee on finance.

Mr. Fox presented the remonstrance of several inhabitants of the town of Schoharie against the alteration of the division line between the towns of Schoharie and Wright, which was referred to the committee on the division of towns and counties.

On motion of Mr. Cornwell,

*Ordered*, That the committee on railroads be discharged from the further consideration of two several remonstrances, presented yesterday, of inhabitants of Whitehall, against the passage of the bill allowing the Saratoga and Washington Railroad Company to carry freight, &c., and that the same be referred to the committee of the whole when upon said bill.

Mr. Smith, from the committee on canals, to which was referred the petition for that purpose, reported a bill entitled, "An act for the settlement and payment of the expenses of James H. Sherrill, incurred in defending himself from certain charges preferred before a select committee appointed by the Senate," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 102.)

Mr. Smith, from the same committee reported in favor of the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Henry B. Opp," which was committed to the committee of the whole.

Mr. Martin, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to provide for the appraisal and payment of the canal damages of Ezra Wood," which was committed to the committee of the whole.

Mr. Martin, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," which report was agreed to by the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Burch, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to repeal the act passed December 15, 1847, entitled, 'An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847,'" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 186.)

Mr. Williams presented the report of the select committee appointed by the last Senate upon the subject of the embankment of the Auburn and Rochester railroad across Cayuga lake, which was read and laid on the table.

(See Senate Doc. No. 42.)

In pursuance of previous notice,

Mr. Clark asked for and obtained leave to bring in a bill entitled, "An act to amend the charter of the city of Utica, by authorising the election of four supervisors instead of one supervisor, in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill for the relief of minors employed in the navigation of the waters of this State.

On motion of Mr. Williams,

*Resolved*, That the State Engineer be requested to cause a survey to be made of Jack's reefs and the waters passing there, and report the same to the Legislature, with his opinion whether the reefs can be lowered so as to reduce the height of water in the streams passing those reefs, and what would be the effect upon the canals, and also the probable cost thereof.

On motion of Mr. Johnson,

*Ordered*, That the bill entitled, "An act for the formation of railroad companies," and the concurrent resolutions reported by the committee on railroads, be made the special order for to-morrow.

On motion of Mr. Martin,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages sustained by Packard Bruce," and that the same be recommitted to the committee on canals.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to authorise the administratrix and administrator of Joseph F. Osburn, deceased, to convey certain real estate in the town of Mentz," and Mr. Cole, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the removal of convicts from one State prison to another," and Mr. Fine, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the more effectual protection of the property of married women," and Mr. Lawrence, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon a bill from the Assembly entitled, "An act to provide for the election of justices of the justices' court and the police justices in the city of Albany," and Mr. Smith, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Utica Waterworks Company," and Mr. Johnson, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," and Mr. Adams, from said committee, reported progress, and obtained leave to sit again.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajaquada Creek in the town of Black Rock,' passed April 28, 1847."

Thereupon,

*Ordered.* That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act for the division of the town of Sandlake, and to erect the town of Poestenkill," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered.* That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the city of Auburn," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time of collecting taxes in the town of Lyme," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The Assembly returned the bill entitled, "An act to punish adultery," with a message informing that they do non-concur in the passage thereof.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to extend to the city and

county of New-York the provisions of the general act in relation to common schools,' passed April 11, 1842," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

Then the Senate adjourned until ten o'clock to-morrow morning.

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THURSDAY, 10 O'CLOCK, A. M., MARCH 2, 1843.

The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Fox presented the remonstrance of forwarders and others on the Champlain canal and Lake Champlain, against any diversion of the revenues of said canal to the railroad companies along its line; and also against allowing the Saratoga and Washington Railroad Company to construct a bridge across said lake or any navigable waters; and a petition that all laws granting such privileges may be repealed, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Cook presented the memorial of the bar of Saratoga county praying for an amendment of the judiciary act, which was referred to the committee on the judiciary.

Mr. Frost presented the petition of George Law and others for an act to incorporate the United States mail steam ship company, which was referred to the committee on commerce and navigation.

Mr. Bond presented the petition of citizens of the town of Sullivan, in the county of Madison, asking for the incorporation of a company to construct a railroad on the south side of the Erie canal from Utica to Syracuse, through Vernon, which was referred to the committee on railroads.

Mr. Little presented the petition of inhabitants of Chenango in relation to proceedings in criminal cases, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of a public meeting in Syracuse, praying for a law to enable the inhabitants of that city to establish free schools, which was referred to the committee on literature.

Mr. Lawrence presented the memorial of the board of trustees of the public school society in the city of New-York asking for relief, which was referred to the committee on literature.

Mr. Lawrence presented two several petitions praying for legislative aid in establishing an agricultural school with an experimental farm near the city of New-York, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Johnson presented the petition of William Swanton for a release to him of the interest of the State (if any) in a portion of the real estate of which Robert Swanton died seised, which was referred to the committee on the judiciary.

Mr. Hawley presented two several petitions praying for a law to tax debts due to non-residents, which was referred to the committee on finance.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to extend the time of collecting taxes in the town of Lyme," which, by unanimous consent, was ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit :

"An act in relation to the removal of convicts from one State prison to another;" also

"An act to authorise the administratrix and administrator of Joseph F. Osburn, deceased, to convey certain real estate in the town of Mentz."

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to extend to the city and county of New-York the provisions of the general act in relation to common schools,' passed April 11, 1842," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to incorporate the city of Auburn," which was committed to the committee of the whole.

On motion of Mr. Cornwell, and by unanimous consent,

*Ordered*, That the Senate will meet this afternoon at 4 o'clock, for the purpose of considering said bill in committee of the whole.

Mr. S. H. P. Hall, from the same committee, reported in favor of the passage of the bill entitled, "An act to amend the charter of the city of Utica by authorising the election of four supervisors instead of one supervisor in said city," with amendments, and with the title altered so as to read as follows : "An act to equalise the representation in the several boards of supervisors in this State," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported for the consideration of the Senate the bill from the Assembly entitled, "An act to provide for the settlement of the claims of Jonathan S. Caulkins and Eddy Cole for work done on the Erie canal enlargement," which was committed to the committee of the whole.

Mr. Martin, from the same committee, reported, with amendments, the bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages sustained by Packard Bruce," which was committed to the committee of the whole.

Mr. Cook, from the committee on claims, reported adversely to

the petition of William J. Nelson and Ira E. Philips, which report report was agreed to.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Fox, from the committee on the division of towns and counties, to which was referred the petition for that purpose, reported a bill entitled, "An act to divide the town of Salina and to erect the town of Geddes, Onondaga county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Johnson, from the committee on railroads, to which were referred the several petitions for that purpose, reported a bill entitled, "An act to incorporate the Erie and Chautauque Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 103.)

Mr. Geddes, from the minority of the committee on railroads, made a report in writing on the subject of the passage of a general railroad law, which was committed to the committee of the whole when upon the bill entitled, "An act to provide for the incorporation of railroad companies."

(See Senate Doc. No. 34.)

A motion to print five times the usual number of copies of said report was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

The annual report of the Regents of the University was received, and laid on the table.

(See Senate Doc. No. 71.)

A motion to print 750 extra copies of said report for the use of said Regents, and 750 copies thereof for the use of the Legislature, was referred to the committee on public printing.

The annual report of the trustees of the New-York Dispensary was received, and referred to the committee on medical societies and colleges.

(See Senate Doc. No. .)

On motion of Mr. Fine,

*Resolved*, That the Secretary of State be requested to report a digest of the poor laws, with forms of proceedings for the instruction of town officers.

In pursuance of previous notice,

Mr. Johnson asked for and obtained leave to bring in a bill entitled, "An act for the relief of the grantees of the estate of Johanna Holthuysen," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Clark asked for and obtained leave to bring in a bill entitled, "An act for the protection of minors employed in the navigation of the waters of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

The bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the town of Lyme," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Ayrault	Mr. Cook	Mr. Johnson	
Mr. Betts	Mr. Cornwell	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Little	
Mr. Brownson	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Treadwell	
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams	21

The bill from the Assembly entitled, "An act to provide for the election of justices of the justices' court and the police justices in the city of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little	
Mr. Ayrault	Mr. Cornwell	Mr. Martin	
Mr. Betts	Mr. Fine	Mr. Smith	
Mr. Bond	Mr. Floyd	Mr. Treadwell	
Mr. Brownson	Mr. Fuller	Mr. Wilkin	
Mr. Burch	Mr. S. H. P. Hall	Mr. Williams	
Mr. Cole	Mr. Hawley		20

*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill entitled, "An act in relation to the removal of convicts from one State prison to another," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little

Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Cole

Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Wilkin  
Mr. Williams

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The bill entitled, "An act to authorise the administratrix and administrator of Joseph F. Osburn, deceased, to convey certain real estate in the town of Mentz," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Smith  
Mr. Treadwell  
Mr. Wilkin  
Mr. Williams

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*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of railroad companies," and the concurrent resolutions reported by the committee on railroads, in relation to the passage of a general railroad law, and Mr. Smith, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill and resolutions be made the special order for Monday next.

On motion of Mr. Martin, and by unanimous consent,  
The vote taken yesterday upon agreeing to the report of the committee on canals upon the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," was reconsidered.

On motion of Mr. Martin, and by unanimous consent,

*Ordered*, That a respectful message be transmitted to the Assembly, requesting them to send back to the Senate said bill, and that the same, when received, be recommitted to the committee on canals.

The first report of the Commissioners on Practice and Pleadings was received, and laid on the table.

A motion to print forty times the usual number of extra copies of said report, in the form presented by said commissioners, was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

A bill was received from the Assembly for concurrence entitled, "An act authorising the appraisal and payment of canal damages to Rosel Blackman and Charles Blackman," which was read the first

time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the supervisor of the town of Turin to take the oath of office," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cook		

25

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Clark	Mr. Fuller	Mr. Treadwell
Mr. Cole	Mr. Geddes	Mr. Williams

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*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

The Assembly returned the bill entitled, "An act in relation to the office of State Engineer and Surveyor and the Engineer department," with a message informing that they had passed the same with the amendments therewith delivered, which were read and laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act requiring the district attorney of Monroe county and certain other officers to report and account to the treasurer of said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit:

"An act to confirm the title of a certain lot of land to William Radley," also

"An act to amend an act entitled, 'An act to authorize Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A resolution was received from the Assembly for concurrence, in the words following, which was read and laid on the table:

*Resolved*, (If the Senate concur,) That the Senators and Representatives in Congress from this State, be requested to oppose the passage of any law continuing or renewing to the heirs or assigns of the late Jethro Wood, of this State, patentee of Wood's cast iron plow, any exclusive or peculiar privileges in the manufacture, vending or use of said plow, which, after having been for many years to the onerous annoyance of farmers, continued to the heirs of the patentee by special legislation, have now, of right vested in the people of the United States and of the world, and of which they cannot rightfully be divested.

*Resolved*, That the clerks of the Senate and Assembly be instructed to transmit the above resolution to each of the Senators and Representatives.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act making appropriations for the State Library," and Mr. Fine, from said committee, reported said bill with amendments.

The fourth section of said bill as reported by said committee, was read in the words following, to wit:

§ 4. The trustees of the library are hereby authorised to insure the library against loss by fire, to such amount as they shall from time to time deem proper, and the expenses thereof shall be paid by the treasurer on the warrant of the comptroller.

Mr. Smith moved to amend the report of said committee by striking out said section from said bill, which motion was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Cornwell

Mr. Floyd

Mr. Smith

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## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Little
Mr. Clark	Mr. Fuller	Mr. Martin
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. Hawley	Mr. Williams

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The President then put the question upon agreeing to the report of said committee, which was decided in the affirmative, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the more effectual protection of the property of married women," and Mr. Lawrence, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Fine,

*Ordered*, That the committee of the whole be discharged from the further consideration of said bill, and that the same be recommended to the committee on the judiciary.

The Senate then took a recess until 4 o'clock P. M.

## 4 O'CLOCK P. M.

The Senate again met.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to incorporate the city of Auburn," and Mr. Brownson from said committee, reported progress, and obtained leave to sit again.

The Senate then adjourned until ten o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK A. M., MARCH 3, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkin.

The journal of yesterday was read and approved.

Mr. Little presented the petition of forwarders and owners of canal boats in the city of Utica, for an enlargement of Buffalo harbor by the construction of a draw in the toll bridge across Buffalo creek, which was referred to the committee of the whole having in charge the bill on that subject.

Mr. Williams presented the affidavit of St. Paul Seely in relation to the division of the town of Butternuts, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Williams also presented two several remonstrances against annexing the town of Covert to Tompkins county, which was referred to the committee on the division of towns and counties.

Mr. Geddes presented the petition of various railroad companies praying for the repeal of the law passed December 13, 1847, entitled, "An act requiring compensation for causing death by wrongful act, neglect or default," which was referred to the committee on grievances.

Mr. Ayrault presented the petition of citizens of Livingston co., praying for the passage of a law requiring the securities in the hands of the clerk of the Court of Appeals to be deposited with the county treasurers, which was referred to the committee on the judiciary.

Mr. Cook presented the remonstrance of forwarders and others on the Champlain canal and lake Champlain, against any diversion of the revenue of said canal to the railroad companies on its line; and also against allowing the Saratoga and Washington railroad company to construct a bridge across said lake or any navigable waters, and a petition that all laws granting said privileges be repealed, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Cook also presented two several remonstrances of citizens of Washington county against the passage of any law which will allow the Saratoga and Washington railroad company to construct a bridge across lake Champlain near Whitehall, which was referred to the committee of the whole.

Mr. Cook also presented three several petitions for a law allowing the purchase of the toll bridge between the towns of Hadley and Luzerne, which were referred to the committee on roads and bridges.

Mr. Fox presented the petition of forwarders on the Erie canal of the city of Troy, in favor of a draw in the toll bridge across Buffalo creek in order to enlarge Buffalo harbor, which was referred to the committee of the whole.

Mr. Lawrence presented the remonstrance of Anson G. Phelps against the passage of an act for the resale of lands for assessments, applied for by the mayor and common council of New-York, which was referred to the committee on the judiciary.

Mr. Bokee presented the petition of Daniel Richards for the alteration of the commissioner's map of the city of Brooklyn, which was referred to the committee on the incorporation of cities and villages.

Mr. Fine, from the committee on the judiciary, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act to amend an act entitled, 'An act to authorise Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846;" also

"An act to confirm the title of a certain lot of land to William Radley," which were severally committed to the committee of the whole.

Mr. Fine, from the same committee, reported, with amendments,

the bill entitled, "An act for the more effectual protection of the property of married women," which was recommitted to the committee of the whole.

(See Senate Bill No. 115.)

Mr. Bond, from the committee on literature, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to the public school society of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 97.)

Mr. Williams, from the committee on the division of towns and counties, to which were referred the several petitions for that purpose, reported a bill entitled, "An act to amend an act to erect the towns of Wright and Esperence in the county of Schoharie," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 109.)

Mr. Cook, from the committee on claims, to which was referred the petition for that purpose, reported in writing, and also reported a bill entitled, "An act for the relief of the heirs of Thomas Mott," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 114.)

On motion of Mr. S. H. P. Hall,

*Ordered*, That the bill entitled, "An act making appropriations for the State library," be recommitted to the committee on finance, with instructions to strike out the fourth section of said bill.

On motion of Mr. Lawrence,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to resell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase moneys received from former sales of such lands and tenements," and that the same be referred to the committee on the judiciary.

On motion of Mr. Fine,

The Senate then proceeded to the consideration of a resolution heretofore offered by him, in the words following, to wit:

*Resolved*, That the Canal Commissioners be requested to report to the Senate their opinion, together with the facts on which such

opinion shall be based, whether it will be inconsistent with the public interest to close the canals from 12 o'clock on Saturday night to 12 o'clock on Sunday night, during the coming season of navigation.

Debates being had thereon,

Mr. Cole moved to lay the further consideration of the same on the table, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Frost	Mr. W. Hall
Mr. Bush	Mr. Fuller	Mr. Lawrence
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. S. H. P. Hall	

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FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cornwell	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Hawley	Mr. Williams
Mr. Clark	Mr. Johnson	

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Mr. S. H. P. Hall then moved to amend the said resolution by striking out thereof the words "the Canal Commissioners be requested," and insert in lieu thereof the words "it be referred to a select committee of five," which motion was decided in the affirmative.

After further debate being had thereon,

The President put the question upon agreeing to said resolution as amended, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

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Ordered, That Mr. Fine, Mr. Fuller, Mr. Williams, Mr. Adams and Mr. Little be said select committee.

The report of the Commissioners of the Land Office on the bill entitled, "An act to cede certain lands to the village or city of Oswego, as the case may be," was received, and together with said bill referred to the committee on the judiciary.

(See Senate Doc. No. 87.)

A bill was received from the Assembly for concurrence entitled, "An act to change the time of holding the town meeting in the town of Bethany for the year 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Williams.
Mr. Clark	Mr. S. H. P. Hall	

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Schenectady and Catskill Railroad Company,' passed May 13, 1846."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act for the holding of a special term of the court of sessions in the county of Sullivan," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

On motion of Mr. Johnson,

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the office of State Engineer and Surveyor and the engineer department," together with the amendments of the Assembly thereto, and Mr. Floyd, from said committee, reported said bill with the amendments of the Assembly thereto, which report was agreed to by the Senate, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence

Mr. Bond	Mr. Frost	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Martin
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams

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## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	2
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*Ordered*, That the Clerk return the same to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act amending an act entitled, 'An act incorporating the Saratoga and Washington Railroad Company,'" and Mr. Adams, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," and Mr. Williams, from said committee, reported progress, and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to secure to school district number four in Edmeston and number six in the town of Pittsfield, in the county of Otsego, the legacies of Adin Deming, deceased," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to complete the organization of the twelfth regiment of the first division of the New-York State militia," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the compensation of the treasurer of the county of Monroe," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act authorising the payment of certain expenses to James Brady," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the jurisdiction of the mayor's court of the city of Troy, and to fix the salary of the recorder of said city, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A message was received from the Governor, informing that he had approved and signed six several bills with the following titles, to wit:

"An act to relieve the Reformed Dutch Church of Poughkeepsie from the operation of an act entitled, 'An act to equalize taxation,' passed May 13, 1846;"

"An act in relation to the seal of Broome county;"

"An act to extend the time for the collection of taxes in the county of Albany;"

"An act for the division of the town of Sandlake and to erect the town of Poestenkill;"

"An act to amend an act entitled, 'An act to authorise the Canal Commissioners to drain certain lands near Skajaquada Creek in the town of Black Rock,' passed April 28, 1847;"

"An act to amend an act entitled, 'An act to incorporate the Schoenectady and Catskill Railroad Company,' passed May 13, 1846."

Then the Senate adjourned until ten o'clock to-morrow morning.

## SATURDAY, 10 O'CLOCK A. M., MARCH 4, 1848.

### The Senate met pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Little presented the petition of inhabitants of Otsego county in relation to the proceedings in criminal cases, which was referred to the committee on the judiciary.

Mr. Ayrault presented a remonstrance of citizens of the town of Naples, Ontario county, against the petition of Beverly Robinson and others, which was referred to the committee on the judiciary.

Mr. Treadwell presented the remonstrance of I. Sherwood and 55 others against the incorporation of Auburn into a city, which was referred to the committee of the whole when upon a bill on that subject.

Mr. Cole presented the petition of Isaac W. Swan and others, citizens of the county of Orleans, praying for a law authorising the transmission of papers and securities in the hands of the clerk of the court of appeals to the county treasurers of the several counties in the State, which was referred to the committee on the judiciary.

Mr. Cook presented the petition of the inhabitants of the county of Saratoga for a charter for a railroad from Saratoga Springs to Sackets Harbor, which was referred to the committee on railroads.

Mr. Williams presented the affidavit of Albert H. Ford relating to the town of Butternuts, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Hawley presented the petition of inhabitants of Danesville in

Steuben county, asking for the erection of a new town from parts of Dansville and Cohocton, which was referred to the committee on the division of towns and counties.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act for the appointment of wreckmasters in Suffolk, Queens, Kings, Richmond and Westchester counties," which was committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to secure to school district No. 4 in Edmeston, and No. 6 in the town of Pittsfield, in the county of Otsego, the legacies of Adin Deming, deceased," which was committed to the committee of the whole.

Mr. Bond, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act in relation to public schools in the city of Syracuse," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Fine, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act releasing the right of the State to a lot of ground in Cherry-street, in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole when upon a bill with a similar title.

Mr. Cook, from the committee of claims, to which was referred the petition for that purpose, reported for the consideration of the Senate, a bill entitled, "An act to pay John R. Green the avails of certain escheated lands," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 119.)*

Mr. Brownson, from the committee on public printing, reported in favor of printing 750 extra copies of the report of the Regents of the University for the use of said Regents, also 750 extra copies thereof for the use of the Legislature, which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Brownson, from the same committee reported in favor of printing 500 extra copies of the report of the committee on roads and bridges in relation to the Oswego bridge, which report was agreed

to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Lawrence moved a reconsideration of the vote taken yesterday upon a resolution to recommit the bill entitled, "An act making appropriations for the State library," to the committee on finance, with instructions to strike out the fourth section of said bill, which motion was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Frost	Mr. Lawrence
Mr. Clark		

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**FOR THE NEGATIVE.**

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Smith
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell

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Afterwards, by unanimous consent,

Mr. Lawrence, from the committee on finance,\* reported said bill amended in pursuance of said instructions, which was ordered to a third reading.

Mr. Treadwell moved a reconsideration of the vote taken on the 2d inst. upon the motion to print forty times the usual number of copies of the first report of the commissioners on practice and pleadings, which motion was decided in the affirmative.

A motion to print ten times the usual number of copies of said report was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Bokee,

*Ordered*, That the bill entitled, "An act to provide for the incorporation of insurance companies," be made the special order for Tuesday next.

On motion of Mr. Ayrault,

*Ordered*, That the bill entitled, "An act for the formation of banks," be made the special order for Thursday next.

On motion of Mr. Clark,

*Ordered*, That the petition and papers of Platt Williams, relating to his claim for damages sustained by him from a break in the canal feeder to the Black river canal, be taken from the files of the Senate and referred to the committee on claims.

The bill entitled, "An act making appropriations for the State library," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths

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of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Clark	Mr. Johnson
Mr. Betts	Mr. Cole	Mr. Lawrence
Mr. Bokes	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Williams

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**FOR THE NEGATIVE.**

Mr. S. H. P. Hall	Mr. Smith	<b>2</b>
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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act amending an act entitled, 'An act incorporating the Saratoga and Washington Railroad Company,' " with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokes	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. S. H. P. Hall	Mr. Smith
Mr. Clark		

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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the public school society of the city of New-York," and Mr. Tamblin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Aytault	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams

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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to authorise the taking of affidavits in certain cases, to be used on motions in actions at law and in equity," and Mr. Treadwell, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

On motion of Mr. Bush,

*Ordered*, That the further consideration of the bill entitled, "An act to incorporate the Buffalo Gas Company," be indefinitely postponed.

The Senate then proceeded to the consideration of the report of the committee on charitable and religious societies upon the bill entitled, "An act for the incorporation of charitable, scientific, benevolent and other societies," heretofore made.

Without taking any question,

On motion of Mr. Bokee,

*Ordered*, That said bill be recommitted to the committee of the whole.

The Senate then spent some time in committee of the whole upon said bill, and Mr. Treadwell, from said committee, reported progress, and asked for leave to sit again.

*Ordered*, That said bill be referred to a select committee, consisting of Mr. Fine, Mr. Little, Mr. Bokee, Mr. Hawley and Mr. Adams, to consider and report complete.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to remove certain obstructions below the ship lock at lower Black Rock in the Niagara river," and Mr. Adams, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and the bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend the act passed Dec. 14, 1847,

entitled, "An act to amend the acts relating to the Buffalo and Ham-  
burgh Turnpike Company," passed Jan. 23, 1830, and amended  
April 7, 1847," and Mr. Smith, from said committee, reported that  
they had stricken out the enacting clause of said bill, which report  
was agreed to by the Senate.

The Senate then spent some time in committee of the whole upon  
the bill entitled, "An act to incorporate the Long Island Canal and  
Navigation Company," and Mr. Adams, from said committee, re-  
ported in favor of the passage of the same, with amendments, which  
report was agreed to, and the bill ordered to a third reading.

On motion of Mr. Johnson, and by unanimous consent,

*Ordered,* That the committee of the whole be discharged from  
the further consideration of the bill from the Assembly entitled,  
"An act for the benefit of the New-York Guardian Insurance Com-  
pany in the city of New-York," and that the same be recommitted  
to the committee on banks and insurance companies.

The Assembly returned the bill entitled, "An act in relation to the  
office of State Engineer and Surveyor and the Engineer depart-  
ment."

Thereupon,

*Ordered,* That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act in relation to the  
Orphan Asylum Society at Brooklyn," with a message informing  
that they had passed the same with the amendments therewith de-  
livered, and with the title altered so as to read as follows: "An act  
in relation to the Orphan Asylum Societies at Brooklyn," which  
amendments were read and concurred in, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Lawrence
Mr. Ayrault	Mr. Floyd	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams

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*Ordered,* That the Clerk return the same to the Assembly, and  
inform them that the Senate have concurred in their amendments  
thereto, and have amended the same accordingly.

The Assembly returned the bill entitled, "An act in relation to the  
public school society in the city of New-York," with a message in-  
forming that they had passed the same without amendment.

Thereupon,

*Ordered,* That the same be delivered to the Governor.

A resolution was received from the Assembly for concurrence, in  
the words following, which was read and laid on the table, to wit:

*Resolved,* (if the Senate concur,) That our Senators in Congress  
be instructed, and our Representatives requested, to oppose any such

change in the laws concerning pilots in the harbor of New-York, as would destroy or diminish the competition now existing.

*Resolved*, That his Excellency the Governor be requested to forward copies of this resolution to our Senators and Representatives in Congress.

A bill was received from the Assembly for concurrence entitled, "An act to levy a tax upon the town of Peru to pay a debt against said town," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the village of Springfield," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act declaring Teunangwant creek, in the county of Cattaraugus, a public highway," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the grand jury list of Westchester county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to annex a part of the town of Hunter to the town of Lexington," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act for the appointment of commissioners of deeds in the several cities of this State," and Mr. Ayrault, from said committee, reported progress, and obtained leave to sit again.

By unanimous consent.

The bill entitled, "An act to remove obstructions below the ship lock at lower Black Rock in the Niagara river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected

to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Ayrault	Mr. Floyd	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Clark		

22

By unanimous consent,

The bill entitled, "An act to authorize the taking of affidavits in certain cases, to be used on motion in actions at law and in equity," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Clark	Mr. S. H. P. Hall	

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*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to authorize the appraisal and payment of canal damages to Packard Bruce," and Mr. Betts, from said committee, reported said bill with amendments.

*Ordered*, That said bill be recommitted to the committee on canals.

Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 6, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Witherspoon.

The journal of Saturday was then read and approved.

Mr. Brownson presented the petition of citizens of the county of Wyoming praying for a law to reduce the rate of fare on the railroads between Albany and Buffalo, which was referred to the committee on railroads.

Mr. Whallon presented the remonstrance of inhabitants on lake Champlain against a bridge over said lake at Rouses Point, which was referred to the same committee.

Mr. Geddes presented the petition of inhabitants of the town of Salina praying for the erection of the town of Geddes, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Brownson presented the petition of citizens of the county of Wyoming praying for a law to provide for the election of canal appraisers by the people, which was referred to the committee on canals.

Mr. Cole presented the petition of Catharine Ridner for an act authorising her to take and hold the estate of Abraham Ridner, deceased, which was referred to the committee on finance.

Mr. Hawley presented the petition of inhabitants of Steuben co., praying for the abolition of capital punishment, which was referred to the committee on the judiciary.

Mr. Geddes presented the petition of inhabitants of the town of Salina to be annexed to the town of Camillus, which was referred to committee on the division of towns and counties.

Mr. Whallon presented the petition of 257 inhabitants of the towns of Moriah and Schroon, in Essex county, for a division of said towns and the formation of a new town from parts of the same, which was referred to the committee on the division of towns and counties.

Mr. Ayrault presented the petition of citizens of Livingston co., praying that provision be made by law requiring the securities in the hands of the clerk of the court of appeals to be deposited with the county treasurers, which was referred to the committee on the judiciary.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act requiring the district attorney of Monroe county, and certain other officers to report and account to the treasurer of said county;" also,

"An act in relation to the compensation of the treasurer of the county of Monroe," which were severally committed to the committee of the whole.

Mr. Lawrence, from the same committee, reported in writing adversely to the petition of the managers of the Hudson and Delaware Canal Company to have money refunded to said company, which report was laid on the table.

(See Senate Doc. No. 43.)

Mr. Lawrence, from the same committee, reported in favor of the passage of a bill from the Assembly entitled, "An act to levy a tax upon the town of Peru to pay a debt against said town," which was committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act declaring Teunangwant creek, in the county of Cattaraugus, a public highway," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend the charter of the village of Springville," which was committed to the committee of the whole.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of a bill from the Assembly entitled, "An act in relation to the jurisdiction of the mayor's court of the city of Troy, and to fix the salary of the recorder of said city, and for other purposes," which was committed to the committee of the whole.

Mr. Cole, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the grand jury list of Westchester county," which, by unanimous consent, was ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Frost, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the United States Mail Steamship Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 106.)

By unanimous consent,

Mr. Williams introduced a bill entitled, "An act to amend 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Tamblin introduced a bill entitled, "An act to amend the act entitled, 'An act to authorise the diversion of the surplus waters of Black river into Pleasant and Stony creeks in the county of Jefferson,' passed April 20, 1825," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

On motion of Mr. Bokee,

The Senate then proceeded to the consideration of the concurrent resolutions in relation to the pilot law, received from the Assembly, as read in the journal of the 4th inst.

The President put the question upon agreeing to said resolutions, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

On motion of Mr. Bond,

*Resolved*, That a committee of three be appointed to attend the funeral obsequies of the late John Quincy Adams in the city of New-York, and unite with their fellow citizens of said city in paying a last tribute of respect to the remains of that illustrious statesman, while passing from the capitol to their final resting place at Quincy.

*Ordered*, That Mr. Bond, Mr. Adams and Mr. Lawrence be said committee.

*Ordered*, That the Clerk inform the Assembly of the passage of said resolution.

On motion of Mr. Cole,

*Ordered*, That the bill entitled, "An act to effectuate letters patent heretofore issued to Mary Englishbee," be referred to the committee of the whole when upon the bill entitled, "An act to repeal two certain acts for the benefit and relief of Francis Englishbee."

On motion of Mr. Bond,

*Ordered*, That the bill entitled, "An act to appropriate portions of the income of the United States Deposit Fund to certain colleges," be made the special order for the 14th inst.

Leave of absence was granted to Mr. Tamblin for ten days.

The bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," was read the third time and passed, a

majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Little
Mr. Ayrault	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Bond	Mr. Hawley	Mr. Treadwell
Mr. Brownson	Mr. Johnson	Mr. Whallon
Mr. Bush	Mr. Lawrence	Mr. Williams
Mr. Cole		

22

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act for the appointment of commissioners of deeds in the cities of this State," and Mr. Ayrault, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of railroad companies," and also upon the concurrent resolutions reported by the committee on railroads in relation to the passage of a general railroad law, and Mr. Smith, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill and resolutions be made the special order for Wednesday next.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Utica Waterworks Company," and Mr. Martin, from said committee, reported said bill with amendments, which report was agreed to by the Senate, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Cole	Mr. Johnson	

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## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Tamblin
Mr. Betts	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Smith	

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Thereupon,

Said bill was ordered to a third reading.

On motion of Mr. Bokee, and by unanimous consent,

*Ordered*, That Senate Doc. No. 145, presented to the Senate November 26, 1847, be taken from the files of the Senate, and referred to the committee on banks and insurance companies.

The Assembly returned the bill entitled, "An act amending an act entitled 'An act incorporating the Saratoga and Washington Railroad Company,'" with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A message was received from the Governor, informing that he had approved and signed the bill entitled, "An act providing for the holding of a special term of the court of sessions in the county of Sullivan."

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit:

"An act to repeal two certain acts for the benefit and relief of Francis Englishbee;" also,

"An act to effectuate letters patent heretofore issued to Mary Englishbee," and Mr. Fox, from said committee, reported said first mentioned bill to the Senate.

Thereupon,

*Ordered*, That said bill be recommitted to the committee of the whole.

Mr. Fox, from the same committee, reported progress on the last mentioned bill, and obtained leave to sit again.

The Senate then adjourned until ten o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 7, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Bokee presented the petition of O. Newcomb and others, asking for the passage of an act authorising the construction of docks in the village of Williamsburgh, which was referred to the committee on the incorporation of cities and villages.

Mr. Johnson presented the remonstrance of Nathan Amory against the application of the mayor, aldermen and commonalty of the city of New-York, to authorise the resale of lands for assessments, which was referred to the committee on the judiciary.

Mr. Fuller presented the remonstrance of inhabitants of Monroe county against the right to construct a railroad from Lockport to connect with the Tonawanda railroad, which was referred to the committee on railroads.

Mr. Smith presented the petition of citizens of New-York, Troy and Albany, being stockholders in the Saratoga and Schenectady railroad company, for relief against the mismanagement of the affairs of that corporation, which was referred to the committee on railroads.

Mr. Frost presented the petition of capt. W. W. Russel and others, for distribution of moneys collected as tax on seamen, now in the State treasury, which was referred to the committee on finance.

Mr. Betts presented the petition of the inhabitants and electors of the town of Hancock for the passage of an act authorising Elisha Richards to hold the office of justice of the peace, which was referred to the committee on the judiciary.

A message was received from the Assembly, announced by Mr. Bowie and Mr. Richards, informing that the Assembly had elected the Hon. Nathaniel Coe, Speaker pro tem, during the temporary absence of the Speaker.

Mr. Fine, from the committee on railroads, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Sackets Harbor and Saratoga Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 111.)

Mr. S. H. P. Hall, from the committee on the incorporation of cities and villages, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend an act to incorporate the village of Madison," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of a bill from the Assembly entitled, "An act to annex a part of the town of Hunter to the town of Lexington," which was committed to the committee of the whole.

Mr. Johnson, from the committee on Indian affairs, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians."

The Assembly returned the bill entitled, "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," in pursuance of a request of the Senate, which was recommended to the committee on canals.

The Assembly also returned the bill entitled, "An act in relation to the Orphan Asylum Societies at Brooklyn."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to compensate Shubal Smith for damages sustained in consequence of laying out roads runing on the line of his lands," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act to levy a tax upon the towns of Moriah and Elizabethtown and to complete a certain road therein,' passed October 26, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to change the name of Johan Hinnerich August Von Rethwisch, to that of John Washington;" also,

"An act to change the name of Mary B. Primett to Maria Rebecca Brock," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Leave of absence was granted to Mr. Johnson for three days.

A message was received from the Governor, informing that he had approved and signed three several bills with the following titles, to wit :

"An act in relation to the public school society in the city of New-York;" also,

"An act in relation to the office of State Engineer and Surveyor and the Engineer department;" also,

"An act in relation to the Orphan Asylum Societies at Brooklyn."

On motion of Mr. Williams,

*Ordered*, That the Senate will meet this afternoon at 4 o'clock, for the purpose of considering the bill from the Assembly entitled, "An act to incorporate the city of Auburn."

On motion of Mr. Bush,

The vote taken on the 4th inst. upon agreeing to the report of the committee of the whole upon the bill entitled, "An act to amend the act passed Dec. 14, 1847, entitled, "An act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed Jan. 23, 1830, and amended April 7, 1847," was reconsidered.

On motion of Mr. Smith,

Said bill was then recommitted to the committee on roads and bridges.

Mr. Treadwell offered a resolution in the words following, to wit :

*Resolved*, That the report of the committee on practice and pleadings, be made the special order for Menday next.

The President put the question upon agreeing to said resolution which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Hawley
Mr. Betts	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cook		

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FOR THE NEGATIVE.

Mr. Martin

1

The bill from the Assembly entitled, "An act for the appointment of commissioners of deeds in the cities of this State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams

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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act to incorporate the Utica Waterworks Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Hawley
Mr. Betts	Mr. Fox	Mr. Johnson
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Smith
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Cook		

19

## FOR THE NEGATIVE.

Mr. Fine

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to provide for the incorporation of insurance companies," and Mr. Johnson, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill be made the special order for Friday next.

Then the Senate took a recess until 4 o'clock P. M.

## 4 O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled, "An act in relation to laying out private roads," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act authorising the appraisal and payment of canal damages to John Mead on account of the Erie canal enlargement," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to divide the town of Westchester in the county of Westchester,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act relating to the salary and term of office of the county treasurer of the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act relating to the county superintendents of the poor in the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 28, 1832, and the various acts amendatory thereof, passed April 17, 1843," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act to improve the Cayuga creek road in the county of Erie;" also,

"An act to provide for building a bridge across the Genesee river in the town of Angelica," which were read the first time; and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Mr. Cook moved that the Senate do now adjourn, which motion was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee

Mr. Cook  
Mr. Fine  
Mr. Fox

Mr. Little  
Mr. Martin

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FOR THE NEGATIVE.

Mr. Cole  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. W. Hall  
Mr. Treadwell

Mr. Whallon  
Mr. Williams

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Thereupon,  
The Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 8, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Witherspoon.

The journal of yesterday was read and approved.

Mr. S. H. P. Hall presented the petition of inhabitants in the town of Union, Broome county, for the division of said town and the formation of a new town to be called Maine, which was referred to the committee on the division of towns and counties.

Mr. Hall also presented the remonstrance of 78 citizens of Madison county, against amending the charter of the village of Madison, which was referred to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend an act entitled, 'An act to divide the town of Westchester in the county of Westchester,' passed May 13, 1846," which, by unanimous consent, was ordered to a third reading.

**By unanimous consent,**

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Betts	Mr. Fine	Mr. Little
Mr. Bekoo	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cook	Mr. W. Hall	

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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Smith, from the committee on poor laws, reported in favor of the passage of the bill from the Assembly entitled, "An act relating to the county superintendents of the poor in the county of Kings," which was committed to the committee of the whole.

Mr. Smith, from the committee on roads and bridges, reported adversely to the passage of the bill from the Assembly entitled, "An act to compensate Shubal Smith for damages sustained in consequence of laying out roads running on the line of his lands," which report was agreed to by the Senate.

Thereupon,

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act to change the name of Mary B. Pinnett to Maria Rebecca Brock;" also,

"An act to change the name of Johan Hinnerich August Von Rethwisch to that of John Washington," which were severally committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit:

"An act to improve the Cayuga creek road in the county of Erie;" also,

"An act to provide for building a bridge across the Genesee river in the town of Angelica," which were severally committed to the committee of the whole.

Mr. Cook, from the committee on claims, reported in favor of the passage of the bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of be-

ing dispossessed of certain lands of this State," which was committed to the committee of the whole.

Mr. Cook, from the same committee, reported, adversely to the petition of John J. Hoppet, praying to be relieved from further payments on land purchased by him of the State, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Treadwell, from the committee on the division of towns and counties, to which were referred the several petitions for that purpose, reported a bill entitled, "An act authorising the purchase of the toll bridge at Jessup's Little Falls on the Hudson river, between the counties of Saratoga and Warren, and that the same be made a public highway," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 112.)*

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act to amend the act entitled, 'An act to amend an act entitled, 'An act for the adjustment of claims incurred for military purposes in the city of New-York, and for the distribution of commutation money received under the act passed May 3, 1846,' passed Nov. 27, 1847,'" which was committed to the committee of the whole.

*(See Senate Bill No. 123.)*

Mr. Fox, from the committee on medical societies and colleges, to which was referred the petition for that purpose, reported a bill entitled, "An act making an appropriation to the Rochester City Hospital for the purchase of a site and the erection of suitable buildings thereon," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 124.)*

Mr. Hawley, from the select committee, reported complete the bill entitled, "An act for the incorporation of charitable, scientific, benevolent and other societies," with the title altered so as to read as follows: "An act for the incorporation of benevolent, charitable and missionary societies," which was laid on the table.

*Ordered*, That the usual number of copies of said bill be printed.

*(See Senate Bill No. 120.)*

The report of the New-York and New Haven Railroad Company was received, and referred to the committee on railroads.

Mr. Cole offered a resolution in the words following, to wit :

*Resolved*, That hereafter the Senate will hold afternoon sessions, commencing at 4 o'clock P. M.

The President then put the question upon agreeing to said resolution, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Fuller	Mr. Smith
Mr. Cole	Mr. Geddes	Mr. Treadwell
Mr. Cook	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cornwell	Mr. W. Hall	Mr. Williams
Mr. Fine	Mr. Hawley	

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FOR THE NEGATIVE.

Mr. Brownson	Mr. Clark	Mr. Little
Mr. Bush	Mr. Floyd	

5

By unanimous consent,

Mr. Treadwell introduced a bill entitled, "An act in relation to the paving and grading the streets in the village of Cohoes in the county of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Treadwell also introduced a bill entitled, "An act to repeal an act entitled, 'An act to pay Henry Storms a compensation for extra services rendered the State,' passed Dec. 15, 1847," and in relation to the duties of Commissary General, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the militia.

By unanimous consent,

Mr. W. Hall introduced a bill entitled, "An act in relation to the Commissary General," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

On motion of Mr. Fuller,

*Ordered*, That the bill from the Assembly entitled, "An act providing for the election of city superintendent of common schools of the city of Rochester by the electors of said city," be recommitted to the committee of the whole.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the further consideration of the bill entitled, "An act to legalise the acts of the commissioners of highways of the town of Lisle in the county of Broome in laying a highway upon the line of the Susquehannah and and Bath Turnpike," be indefinitely postponed.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act relating to chattel mortgages for the city

of Rochester," and Mr. Cook, from said committee, reported in favor of the passage of the same, with amendments, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend the act for the better regulation of county and State prisons," and Mr. Clark, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to provide for the construction of a railroad from Albany to Cohoes," and Mr. Geddes, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Medina," and Mr. Little, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," and Mr. Whallon, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the election of certain officers in the city of Schenectady by the electors thereof, and to regulate the police of said city," and Mr. W. Hall, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to authorise the canal appraisers to appraise the damages sustained by the town of Alabama by the water of the canal feeder from the Tonawanda creek, and to provide for the payment thereof," and Mr. Clark, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the further protection of personal liberty," and Mr. Hawley, from said committee, reported said bill with amendments.

Mr. Floyd moved to amend the report of said committee by striking out the enacting clause of said bill, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Clark

Mr. Floyd

Mr. Smith

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cook	Mr. Hawley	Mr. Williams
Mr. Cornwell		

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The report of said committee was then agreed to, and said bill ordered to a third reading.

Then the Senate took a recess until 4 o'clock P. M.

## 4 O'CLOCK P. M.

The Senate again met.

A bill was received from the Assembly for concurrence entitled, "An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the election of county treasurers and to fix their term of office," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the mayor's court of the city of Rochester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to consolidate and amend the several acts relating to the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to extend the time for the collection of taxes in the county of Albany,' passed February 26, 1848," which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisement and payment of canal damages occasioned by the Champlain canal to Francis L. Brayton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to enable Mary Grogan to hold and convey certain real estate," and Mr. Fuller, from said committee, reported progress, and asked for leave to sit again.

On motion of Mr. Goddes,  
*Ordered*, That said bill be referred to the committee on grievances, with instructions.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to incorporate the city of Auburn," and Mr. Brownson from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill ordered to a third reading.

The Senate then adjourned until ten o'clock to-morrow morning.

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THURSDAY, 10 O'CLOCK, A. M., MARCH 9, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Brownson presented the remonstrance of citizens of the town of Sheldon against a division of said town, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Boker presented the petition of persons interested in mills, factories, &c., situated on the Patroon's creek, for amendments to the bill amending the charter of the Albany Hydrant Company, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Cook presented the remonstrance of W. A. Travis and 120 others, citizens of northern New-York, against allowing the northern railroad company to bridge Lake Champlain at Rouse's Point, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Williams presented the petition of inhabitants of the town of Lodi in Seneca county for aid to Geneva college, which was referred to the committee on literature.

Mr. Ayrault presented the petition of citizens of Ontario county praying for the restoration of the annuity granted to Geneva college in the year 1838, which was referred to the committee on literature.

Mr. Ayrault presented the memorial of the mariners' female industrial society and the society for the relief of the destitute children of seamen, asking for an appropriation of certain moneys now in the treasury, which was referred to the committee on charitable and religious societies.

On motion of Mr. Ayrault,

*Ordered*, That the committee on finance be discharged from the further consideration of the petition of W. H. Russel and others for distribution of moneys now collected as fare on seamen now in the

State treasury, and the same be referred to the committee on charitable and religious societies.

Mr. Clark, from the committee on manufactures, reported in favor of the passage of the bill entitled, "An act to amend the act entitled, 'An act to authorise the diversion of the surplus waters of Black river into Pleasant and Stony creeks in the county of Jefferson,' passed April 20, 1825," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Fine, from the committee on railroads, reported a bill entitled, "An act for the construction of a railroad from Geneseo to the Genesee Valley canal," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, to which were referred the several petitions for that purpose, reported a bill entitled, "An act to divide the town of Union and erect the town of Maine, in the county of Broome," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 113.)

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit :

"An act to amend the act for the better regulation of county and State prisons ;" also

"An act relating to chattel mortgages in the city of Rochester ;" also

"An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Medina ;" also

"An act for the further protection of personal liberty."

On motion of Mr. Bush,

*Ordered*, That the bill entitled, "An act for the further protection of personal liberty," be recommitted to the committee of the whole.

On motion of Mr. Cook, and by unanimous consent,

*Ordered*, That the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to extend the time for the collection of taxes in the county of Albany,' passed Feb. 26, 1848," be taken from the table and ordered to a third reading.

The bill from the Assembly entitled, "An act to incorporate the city of Auburn," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Clark	Mr. S. H. P. Hall	20

FOR THE NEGATIVE.

Mr. Floyd	1
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill entitled, "An act relating to chattel mortgages in the city Rochester," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Floyd	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Williams
		21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act for the better regulation of county and State prisons," was read the third time, and the vote on the final passage thereof was as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Floyd	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Williams
		21

Two-thirds of all the members elected to the Senate not voting upon the said question, said bill was laid on the table.

The bill entitled, "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Medina," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Hawley
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Williams
Mr. Cole	Mr. S. H. P. Hall	

20

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend the act entitled, 'An act to extend the time for the collection of taxes in the county of Albany,' passed Feb. 26, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Brownson	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Clark		

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*Ordered,* That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the canal appraisers to appraise the damages sustained by the town of Alabama by the waters of the canal feeder from the Tonawanda creek, and to provide for the payment thereof," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Hawley

Mr. Brownson	Mr. Floyd	Mr. Little	
Mr. Burch	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Whallon	
Mr. Clark	Mr. Geddes	Mr. Williams	21

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act for the election of certain officers in the city of Schenectady by the electors thereof, and to regulate the police of said city," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Clark	Mr. Fuller	
Mr. Betts	Mr. Cole	Mr. Geddes	
Mr. Bokes	Mr. Cook	Mr. Little	
Mr. Brownson	Mr. Fine	Mr. Martin	
Mr. Burch	Mr. Floyd	Mr. Whallon	
Mr. Bush	Mr. Fox	Mr. Williams	19

FOR THE NEGATIVE.

Mr. S. H. P. Hall	Mr. Hawley	2
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*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. W. Hall, from the committee on the militia, reported in favor of the passage of the bill entitled, "An act in relation to the Commissary General," which was committed to the committee of the whole.

By unanimous consent,

Mr. Cole introduced a bill entitled, "An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 121.)

By unanimous consent,

Mr. Bush introduced a bill entitled, "An act to amend the charter of the Attica and Hornellsville Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Fine, from the minority of the select committee to which was referred the bill entitled, "An act for the incorporation of charitable, scientific, benevolent and other societies," reported in writing adversely to the passage of said bill, which report, together with said bill, was committed to the committee of the whole.

(See Senate Doc. No. 45.)

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," when Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill be made the special order for Saturday next.

Mr. Cook offered a resolution in the words following, which was read and laid on the table, to wit :

*Resolved*, That the Senate will hereafter meet at 10 o'clock A. M., and take a recess at a quarter before 2 o'clock P. M., and meet again at 4 o'clock P. M., and adjourn at 6 o'clock P. M., excepting on Saturdays, when it will adjourn at 2 o'clock for the day. And in case the Senate be in committee of the whole at the time above specified for recess or adjournment, and the bill before said committee be not gone through with, all debate shall be forthwith suspended, and the said committee shall, by force of this order, and without any motion to that effect, rise and report progress, and have leave to sit again. And the President, after announcing the report of said committee, shall declare the hour of taking said recess or adjournment to have arrived, and that the Senate will take such recess or adjourn. But any message from the Governor or Assembly, and reports or communications from State officers, may be announced and read after the report of said committee of the whole is announced by the President, and before the President shall declare the said recess or adjournment.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled, "An act to incorporate the city of Auburn," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to extend North Pearl street in Albany, and to change the course of Broadway from the north bounds of the city of Albany, northwardly," which was read the first time, and by unanimous

consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to establish free schools in district No. 5 in the town of Flushing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to extend the time for the collection of taxes in the town of Newtown," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to authorise the payment of the claim of Horace A. Beach for canal damages ;" also

"An act to authorise the payment of the claim of John I. Walrath for canal damages ;" also

"An act to authorise the Canal Commissioners to lease certain surplus waters of the Erie canal to Roderick Price," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the payment of certain moneys appropriated to the society for the relief of the children of poor widows and widowers," and Mr. Burch, from said committee, reported progress, and obtained leave to sit again.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to provide for building a bridge across the Genesee river in the town of Angelica," and Mr. Cole, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill ordered to a third reading.

By unanimous consent,

Said bill, with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault

Mr. Betts

Mr. Bokes

Mr. Brownson

Mr. Burch

Mr. Bush

Mr. Clark

Mr. Cole

Mr. Cook

Mr. Fine

Mr. Floyd

Mr. Fox

Mr. Fuller

Mr. Geddes

Mr. S. H. P. Hall

Mr. W. Hall

Mr. Hawley

Mr. Little

Mr. Martin

Mr. Whallon

Mr. Williams

**Ordered,** That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Senate then proceeded to the further consideration of the report of the committee of the whole upon the bill from the Assembly entitled, "An act authorising the Canal Commissioners to lease the surplus water of the Glen's Falls feeder," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Bush, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to establish free schools in district No. 5 in the town of Flushing," which was committed to the committee of the whole.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," and Mr. Whallon, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to establish free schools in district No. 5 in the town of Flushing," and Mr. W. Hall, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Floyd	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Williams

**Ordered,** That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to protect laborers on railroads," and Mr. Ayrault, from said committee, reported progress, and asked for leave to sit again.

The President put the question upon granting leave, which was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Floyd	Mr. S. H. P. Hall	
Mr. Bush	Mr. Fox	Mr. Whallon	6

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall	
Mr. Betts	Mr. Cook	Mr. Hawley	
Mr. Brownson	Mr. Fine	Mr. Little	
Mr. Burch	Mr. Fuller	Mr. Martin	
Mr. Clark	Mr. Geddes		14

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the relief of George W. Murray," and Mr. Bush, from said committee, reported said bill to the Senate.

The first section of said bill, as reported by said committee, was read in the words following, to wit:

§ 1. The treasurer shall pay on the warrant of the comptroller to George W. Murray of the city of New-York, the sum of two hundred and three dollars and seventy-four cents, the same being the amount of taxes paid by the said George W. Murray, on certain lands in the county of Clinton, which belonged to the state, together with the interest on the several payments made from the times they were severally paid; one hundred and eighty-nine dollars and forty-four cents thereof, together with the interest thereon from the time of the several payments shall be charged to the said county of Clinton, by the comptroller and paid by said county, and assessed upon the same by the board of supervisors at their next annual meeting in the same manner that other county charges are levied.

Mr. Cole moved to amend the report of said committee by striking out of said section the words "together with the interest on the several payments made from the times they were severally paid," which motion was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall	
Mr. Betts	Mr. Fuller	Mr. Martin	
Mr. Clark			6

FOR THE NEGATIVE.

Mr. Bokee	Mr. Floyd	Mr. Hawley	
Mr. Brownson	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Bush	Mr. W. Hall	Mr. Williams	
Mr. Cook			13

The report of said committee was then agreed to, and the ques upon ordering said bill to a third reading laid on the table.

Then the Senate adjourned until ten o'clock to-morrow morning.

## FRIDAY, 10 O'CLOCK A. M., MARCH 10, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Witherspoon.

The Journal of yesterday was read and approved.

Mr. Ayrault, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to extend the time for the collection of taxes in the town of Newtown," which was, by unanimous consent, ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Brownson	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Cole	Mr. Geddes	

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Cook, from the committee on claims, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act to authorise the payment of the claim of John I. Walrath for canal damages," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Fuller, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising

the appraisal and payment of canal damages to Rosel Blackman and Charles Blackman," which was committed to the committee of the whole.

Mr. Fuller, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to John Mead on account of the Erie canal enlargement," which was committed to the committee of the whole.

Mr. Martin, from the same committee, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act to authorise the Canal Commissioners to lease certain surplus waters of the Erie canal to Roderick Price;" also

"An act to authorise the payment of the claim of Horace A. Beach for canal damages," which were severally committed to the committee of the whole.

Mr. Martin, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," which report was agreed to by the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported a bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(*See Senate Bill No. .*)

Mr. Bokee, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to extend North Pearl street in Albany, and to change the course of Broadway from the north bounds of the city of Albany, northwardly," which was committed to the committee of the whole.

Mr. Bokee, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 28, 1832, and the various acts amendatory thereof, passed April 17, 1843," which was committed to the committee of the whole.

Mr. Ayrault from the committee on finance, reported in favor of the passage, with amendmens, of the bill from the Assembly entitled, "An act to amend, 'An act to levy a tax upon the towns of Moriah and Elizabethtown, and to complete a certain road therein,' passed October 26, 1847," which was committed to the committee of the whole.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit :

"An act relating to the salary and term of office of the county treasurer of the county of Kings;" also

"An act relating to the mayor's court of the city of Rochester," which were severally committed to the committee of the whole.

Mr. Cole, from the same committee, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to provide for the election of county treasurers and to fix their term of office," which was committed to the committee of the whole.

Mr. Cole, from the same committee, reported in favor of the passage of two several bills with the following titles, to wit :

"An act to authorise the supervisors of Monroe county to provide an office for the surrogate and for the appointment and payment of a surrogate's clerk in said county;" also

"An act for the relief of the grantees of the estate of Johanna Holthuysen," which were severally committed to the committee of the whole.

(See Senate Bills No. 137 & 134.)

Mr. Bokee, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise Obadiah Newcomb jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, to which was referred the petition for that purpose, reported a bill entitled, "An act to erect the town of North Hudson in the county of Essex," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Fox, from the committee on medical societies and colleges, to which was referred the petition for that purpose, reported a bill entitled, "An act to provide for the distribution of genuine vaccine virus and to prevent the extension of small pox," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bills No. 132 & 135.)

On motion of Mr. Geddes,

The Senate then proceeded to the further consideration of the concurrent resolutions from the Assembly, in the words following, to wit :

*Resolved*, (if the Senate concur,) That the Senators and Representatives in Congress from this State, be requested to oppose the passage of any law continuing or renewing to the heirs or assigns of the late Jethro Wood, of this State, patentee of Wood's cast iron plow, any exclusive or peculiar privileges in the manufacture, vending or use of said plow, which, after having been for many years, to the onerous annoyance of farmers, continued to the heirs of the patentee by special legislation, have now, of right vested in the people of the United States and of the world, and of which they cannot rightfully be divested.

*Resolved*, That the clerks of the Senate and Assembly be instructed to transmit the above resolution to each of the Senators and Representatives.

The President then put the question upon agreeing to said resolutions, and it was decided in the affirmative.

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

On motion of Mr. Cook,

The Senate then proceeded to the consideration of a resolution heretofore offered by him fixing the hour for the meeting and taking a recess of the Senate, as read in the journal of yesterday.

The President put the question upon agreeing to said resolution, and it was decided in the affirmative.

On motion of Mr. Bokee,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," and that the same be referred to the committee on the incorporation of cities and villages.

On motion of Mr. Little,

*Ordered*, That the further consideration of the bill entitled, "An act for the payment of certain moneys appropriated to the society for the relief of the children of poor widows and widowers," be indefinitely postponed.

By unanimous consent,

Mr. Cole introduced a bill entitled, "An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer deceased," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The bill from the Assembly entitled, "An act authorising the Canal Commissioners to lease the surplus waters of the Glen's Falls feeder," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee

Mr. Cole  
Mr. Cook

Mr. W. Hall  
Mr. Hawley

Mr. Brownson	Mr. Fine	Mr. Little	
Mr. Burch	Mr. Floyd	Mr. Martin	
Mr. Bush	Mr. Fox	Mr. Whallon	
Mr. Clark	Mr. Fuller	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Geddes

1

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Ayrault offered several amendments to the bill entitled, "An act for the formation of banks," which was ordered to be printed.

(See Senate Bill No. .)

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to provide for the incorporation of insurance companies," and Mr. Brownson, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That the usual number of copies of said bill as amended in committee of the whole, be printed.

(See Senate Bill No. 129.)

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the jurisdiction of the mayor's court of the city of Troy, and to fix the salary of the recorder of said city, and for other purposes," and Mr. Fine, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to authorise the Exchange Bank of Genesee to change its place of business," and Mr. Martin, from said committee, reported in favor of the passage of the same, which report was agreed to, and the bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to incorporate the Clover Street Seminary," and Mr. Bush, from said committee, reported progress, and obtained leave to sit again.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to authorise Margaret Kennedy to take, hold and convey real estate ;" also

"An act in relation to the commissioners of deeds of other states," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act for the formation of savings banks," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the board of education of the city of New-York to establish evening schools for the education of apprentices and others," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

The Assembly returned the bill entitled, "An act in relation to the firemen in the several cities and villages of the State," with a message informing that they had passed the same with the amendments therewith delivered, and with the title altered so as to read as follows: "An act in relation to firemen in the several cities of the State."

Thereupon,

*Resolved*, That the Senate do non-concur with the Assembly in their amendments thereto, and request a committee of conference thereon, and in case the Assembly consent thereto, that Mr. Cook, Mr. Little and Mr. Whallon be of said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The roll of Senators having been called, the following named Senators answered to their names, to wit:

Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Bokee	Mr. Cook	Mr. Martin
Mr. Brownson	Mr. Fine	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Williams
Mr. Bush	Mr. W. Hall	

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A quorum of the Senate not being in attendance,

The Senate then adjourned until ten o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK A. M., MARCH 11, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Bush presented the certificate of George A. Moore in relation to a bridge across Buffalo harbor; also the petition of 1,000 citizens of the first ward of the city of Buffalo in relation to the draw in the toll bridge across Buffalo creek, which were referred to the committee on roads and bridges.

Mr. S. H. P. Hall presented the petition of 31 citizens of Broome county to have the laborers on canals and railroads secured for their labor, which was referred to the committee of the whole when upon the general railroad bill.

Mr. Burch presented the petition of inhabitants of Salisbury for the reduction of railroad fare, which was referred to the committee on railroads.

Mr. Whallon presented the remonstrance of 90 citizens of the town of Bridgeport, in the State of Vermont, against a bridge across Lake Champlain at Rouse's Point, which was referred to the committee of the whole when upon the bill in relation to the northern railroad.

Mr. Betts presented the remonstrance of citizens of the town of Hancock, Delaware county, against confirming the election of Elisha Richards, which was referred to the committee on the judiciary.

The President presented the memorial of the commissioners of emigration asking for an appropriation, which was referred to the committee on commerce and navigation.

*Ordered*, That the usual number of copies of said memorial be printed.

(See Senate Doc. No. 46.)

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the board of education of the city of New-York to establish evening schools for the education of apprentices and others," which was committed to the committee of the whole.

Mr. W. Hall, from the committee on the militia, reported in favor of the passage of the bill entitled, "An act to repeal an act entitled, 'An act to pay Henry Storms for extra services rendered the State,' passed December 15, 1847, and in relation to the duties of Commissary General," which was committed to the committee of the whole, and made the special order for Monday next.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to

authorise Margaret Kennedy to take, hold and convey real estate," which was committed to the committee of the whole.

Mr. Ayrault, from the committee on banks and insurance companies, reported adversely to the passage of the bill entitled, "An act authorising incorporated banks to reduce their capital," which was committed to the committee of the whole.

Mr. Ayrault, from the same committee, reported a bill entitled, "An act to authorise the Catskill Bank to reduce the capital stock of said bank," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bills No. 127 & 128.)

On motion of Mr. Cole,

*Ordered*, That a message be sent to the honorable the Assembly, respectfully requesting that the bill from the Assembly entitled, "An act to authorise the payment of the claim of John I. Walrath for canal damages," be returned to the Senate for their consideration.

*Ordered*, That a respectful message be sent to the Assembly, requesting them to transmit to the Senate the petitions and papers relative to laying out a road from Newkirk Mills to Piseco village, and that the same when received, be referred to the committee on roads and bridges.

By unanimous consent,

Mr. Bokee introduced a bill entitled, "An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bond introduced a bill entitled, "An act in relation to courts of record in Oswego county," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

The bill entitled, "An act for the protection of emigrants arriving in the State of New-York," coming up for a third reading,

On motion of Mr. Fine,

*Ordered*, That said bill be recommitted to the committee of the whole.

The bill from the Assembly entitled, "An act in relation to the jurisdiction of the mayor's court of the city of Troy, and to fix the salary of the recorder of said city, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Williams
Mr. Bush	Mr. Geddes	

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The bill from the Assembly entitled, "An act to authorise the Exchange Bank of Genesee to change its place of business," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Bush	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Williams

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*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H. P. Hall, from said committee, reported said bill with amendments, which report was laid on the table.

*Ordered,* That the usual number of copies of said bill as reported by said committee, together with the amendments offered in committee of the whole thereto, be printed.

(See Senate Bill No. 122.)

A bill was received from the Assembly for concurrence entitled, "An act further to amend the act to incorporate the city of Rochester," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Fine	Mr. Hawley
Mr. Bond	Mr. Floyd	Mr. Little

Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark

Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Martin  
Mr. Whallon  
Mr. Williams

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act for the relief of Ludwig Brumleu," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly also returned the bill entitled, "An act to provide for building a bridge across the Genesee river in the town of Angelica," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The Assembly also returned the bill entitled, "An act in relation to the firemen in the several cities and villages of the State," with a message informing that they do consent to the appointment of a committee of conference upon the amendments to said bill, which are the subject of disagreement between the two houses, and have appointed Mr. Campbell, Mr. E. C. Benedict, Mr. Dennison, Mr. Severance and Mr. Brigham of said committee on the part of the Assembly.

A message was received from the Governor, informing that he had approved and signed the bill entitled, "An act in relation to laying out private roads."

By unanimous consent,

Mr. Whallon introduced a bill entitled, "An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on Lake Champlain to Boonville," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the town and village of Williamsburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to amend the acts incorporating the East River Mutual Insurance company, and to change its name," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the official acts of Samuel G. Gage, a justice of

the peace," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on judiciary.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846 ;" also

"An act to confirm the official acts of the commissioners of highways of the town of Wheeler," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to erect the town of Gilboa from Broome and Blemheim ;" also

"An act to repeal the act entitled, 'An act to annex a part of the town of Shawangunk to the town of Piattekill in the county of Ulster ;' " also

"An act to annex a part of the town of Jasper to the town of Greenwood," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the First Universalist Society of Lima to use the proceeds of the sale of the lower story of their meeting house in the improvement of the upper part," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act authorising William Carman to establish a ferry across Cayuga Lake,' passed May, 20, 1836," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations to the dispensaries in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on medical societies and colleges.

Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 13, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Warren.

The journal of Saturday was read and approved.

Mr. Cole presented the petition of R. S. Burrows and others, praying that the securities in the hands of the clerk of the court of appeals be deposited with the county treasurers, which was referred to the committee on the judiciary.

Mr. Fuller presented the remonstrance of citizens of Yates county against the prohibition of suits on judgments in justices' courts as recommended by the commissioners on pleadings and practice, which was committed to the committee of the whole.

Mr. Fuller also presented the petition of sundry citizens of New-York for the passage of a law to suppress the sale of intoxicating drinks, which was referred to the committee on grievances.

Mr. Hawley presented the petition of citizens of Steuben county praying for a law taxing debts due foreigners, which was referred to the committee on finance.

Mr. Whallon presented the remonstrance of 74 citizens of Westport, Essex county, against a bridge across Lake Champlain at Rouse's Point, which was referred to the committee of the whole when upon the bill in relation to the northern railroad.

Mr. Cook, from the committee on claims, reported in favor of the passage of the bill from the Assembly entitled, "An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict," which was committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," which was committed to the committee of the whole.

Mr. Geddes, from the same committee, reported for the consideration of the Senate the bill from the Assembly entitled, "An act to confirm the acts of the commissioners of highways of the town of Wheeler," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of a bill from the Assembly entitled, "An act to annex a part of the town of Jasper to the town of Greenwood," which was committed to the committee of the whole.

Mr. Fox, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the

town of Gilboa from Broome and Blenheim," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported complete the bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

Mr. Bokee, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the town and village of Williamsburgh," which was referred to a select committee consisting of Mr. Adams, Mr. S. H. P. Hall and Mr. Fox, to consider and report complete.

Mr. Bokee, from the committee on banks and insurance companies, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend the acts incorporating the East River Mutual Insurance company, and to change its name," which was committed to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the First Universalist Society of Lima to use the proceeds of the sale of the lower story of their meeting house in the improvement of the upper part," which was committed to the committee of the whole.

By unanimous consent,

Mr. Cook introduced a bill entitled, "An act in relation to school district No. 12 in the town of Milton in the county of Saratoga," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

By unanimous consent,

Mr. Bokee presented the remonstrance of the Watervliet Turnpike Company, against the passage of the act to extend North Pearl street in the city of Albany, and for other purposes, which was referred to the committee of the whole when upon the bill on that subject.

The Assembly returned the bill entitled, "An act to authorise payment of the claim of John I. Walrath for canal damages," in pursuance of a request of the Senate, which was laid on the table.

A motion to reconsider the vote taken on the 10th inst. upon agreeing to the report of the committee on canals upon said bill, was laid on the table.

Mr. Fine, from the select committee appointed to inquire into the propriety of closing the locks of the canals on the Sabbath, reported a concurrent resolution in the words following, to wit:

*Resolved*, (if the Assembly concur,) That by the existing laws of this State, collectors of tolls, locktenders, and other officers on the canals, cannot be required to, or lawfully perform any of the duties of their offices, on the Sabbath, except in cases of necessity; and that any rule or regulation requiring them to do so, is a direct viola-

tion of the 8th article of title 8, chapter 20, and part first of the Revised Statutes, entitled "of the observation of Sunday."

*Ordered*, That said resolution be laid on the table, and that the usual number of copies thereof be printed.

(See Senate Bill No. 138.)

On motion of Mr. Cole,

*Ordered*, That the resolution heretofore adopted, appointing Friday of each week for the consideration of executive business be, and the same is hereby rescinded.

On motion of Mr. W. Hall,

*Resolved*, That the Commissioners of the Land Office be requested to report to the Senate, with all convenient speed, what is the condition of the new State Arsenal in the city of New-York, and how far the building of the same has progressed, and to report to the Senate with all convenient speed the amount of money which was received from the United States Government, which was appropriated for the building of a State Arsenal in the city of New-York, and what is the balance of such sum now in their hands; and that they also report copies of the contract in their office, made and entered into by the Commissary General, for work to be done and for materials to be furnished for building such arsenal.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill for the protection of the bill holders of the safety-fund banks notes and the bank stock.

Mr. Hawley gave notice that he would, at an early day, ask leave to introduce a bill providing for the election of loan commissioners by the people; also a bill to amend the general manufacturing law passed at the present session.

On motion of Mr. Bush,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Bush, Mr. Fine and Mr. W. Hall, be said committee.

Leave of absence was granted to Mr. Brownson for ten days.

The bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts

Mr. Cole  
Mr. Cook  
Mr. Fine

Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley

Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Clark		

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The bill entitled, "An act to amend the act for the better regulation of county and State prisons," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Hawley
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Clark		

22

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The Senate then, pursuant to order, spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the appropriation of moneys from the funds of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

A bill was received from the Assembly for concurrence entitled, "An act to amend the act entitled, 'An act to incorporate the Brooklyn City Hospital,'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the Tonawanda Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit :

"An act to punish abduction as a crime ;" also

"An act to punish seduction as a crime," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill be made the special order for Wednesday next.

On motion of Mr. S. H. P. Hall, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to divide the town of Union and to erect the town of Maine in the county of Broome," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. S. H. P. Hall, Mr. Geddes and Mr. Whallon be said committee.

On motion of Mr. Geddes, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to divide the town of Salina and to erect the town of Geddes, in the county of Onondaga," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. S. H. P. Hall, Mr. Geddes and Mr. Whallon be said committee.

By unanimous consent.

Mr. Bush, from the select committee, reported complete, with amendments, the bill entitled, "An act for the protection of emigrants arriving in the State of New York," which report was laid on the table.

On motion of Mr. Bush, and by unanimous consent,

*Ordered*, That the bill entitled, "An act to repeal an act entitled, 'An act to pay Henry Storms a compensation for extra services rendered the State,' passed December 15, 1847, and in relation to the duties of Commissary General," be made the special order for Wednesday next.

The Senate then adjourned until ten o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., MARCH 14, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Belknap.

The journal of yesterday was read and approved.

Mr. Fuller presented the petition of Jacob M. Schermerhorn and Abraham M. Schermerhorn, praying for a just compensation for lands appropriated by the State in the construction of the Genesee Valley canal, which was referred to the committee on canals.

Mr. Burch presented the petition of 138 citizens of Little Falls and its vicinity, asking legislative protection from the traffic in intoxicating liquor, which was referred to the committee on the judiciary.

Mr. Burch also presented a similar petition of 550 females of Little Falls, which was referred to the same committee.

Mr. Fine presented the remonstrance of inhabitants of the town of Union, Broome county, against a division of said town, which was referred to the select committee having the bill on that subject in charge.

Mr. Clark presented the memorial of Alanson Campbell and others of Oneida county, in relation to the judiciary, which was referred to the committee on the judiciary.

Mr. Lawrence presented two several remonstrances of inhabitants of the town of Schroon against a division of said town, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Lawrence also presented the proceedings of electors of the town of Schroon, disapproving of a division of said town, which was referred to the same committee.

Mr. Whallon presented the petition of 129 citizens of the town of Moriah for a division of said town and the formation of a new town in Essex county, which was referred to the same committee.

Mr. Cole, from the committee on the judiciary, reported in favor of the passage of three several bills from the Assembly, with the following titles, to wit :

"An act to confirm the official acts of Samuel G. Gage, a justice of the peace ;" also

"An act to punish abduction as a crime ;" also

"An act to punish seduction as a crime," which were severally committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act

in relation to the appropriation of moneys from the funds of this State," which was committed to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, reported in favor of the passage of a bill from the Assembly entitled, "An act to amend the act entitled, 'An act to incorporate the Brooklyn City Hospital,'" which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan, in the county of Lewis," which was committed to the committee of the whole.

Mr. Adams, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the town and village of Williamsburgh," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall reported complete the bill entitled, "An act to divide the town of Union and erect the town of Maine in the county of Broome," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall also reported complete the bill entitled, "An act to divide the town of Salina and erect the town of Geddes, in the county of Onondaga," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said last two mentioned bills as correctly engrossed.

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Bond,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to reduce the tolls of the Oswego Bridge Company," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Bond, Mr. Betts and Mr. Lawrence, be said committee.

On motion of Mr. Ayrault, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to authorise the First Universalist Society of Lima to use the proceeds of the sale of the lower story of their meeting house in the improvement of the upper part," and that the same be ordered to a third reading.

On motion of Mr. Adams,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to erect the town of Gilboa from Broome and Blen-

him," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Adams, Mr. Cook and Mr. Betts, be said committee.

On motion of Mr. Cole,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Cole, Mr. Fuller and Mr. Wilkin, be said committee.

On motion of Mr. Williams,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to confirm the official acts of Samuel G. Gage, a justice of the peace," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Williams, Mr. Hawley and Mr. Johnson, be said committee.

On motion of Mr. Clark,

*Ordered*, That the committee of the whole be discharged from the further consideration of two several bills from the Assembly with the following titles, to wit :

"An act to equalise the representation in the several boards of supervisors in this State," also

"An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Clark, Mr. Floyd and Mr. Martin, be said committee.

Mr. Bush moved that the Senate do now proceed to the consideration of the reports of the majority and minority of the select committee on so much of the Governor's message as relates to the war with Mexico, and the resolutions reported by the majority of said committee, which motion was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams

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#### FOR THE NEGATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Whallon

6

Mr. Fine offered a resolution in the words following, as a substitute for the resolutions reported by the majority of said committee not heretofore adopted by the Senate, to wit :

*Resolved*, That we have great reason to be thankful to an overruling Providence for the restoration of peace between this country and Mexico, and our earnest prayer is, that it may be lasting, and the source of rich blessings to both nations.

The fifth, sixth and tenth of said resolutions having been withdrawn, the remaining resolutions were amended so as to read as follows :

*Resolved*, That the commencement or prosecution of a war for the purpose of acquiring territory by conquest, or extending the area, power, or influence of slavery, is unjust and inconsistent with the principles of our government, and should receive the disapprobation of all who regard the stability of our institutions more than the extension of our boundaries and the splendor of our arms.

*Resolved*, That it is our own, and, as we believe, the unalterable determination of the people of this State, that if, at the conclusion of this war Mexican territory shall be ceded to this republic, it shall never, with our consent, become a part of the American Union, except upon the condition "that there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crime."

*Resolved*, That the project which was made apparent from the measures of the national administration, from the avowals of public men, representing the people and the States of this Union, and from the proceedings of respectable conventions of a large party in the Nation, of subjugating Mexico and annexing it to the American Union, whether springing from criminal ambition or mistaken philanthropy, meets with our decided, unqualified disapprobation.

*Resolved*, That the army of the United States, in the pending war with Mexico, have already established, what never could have been doubted, the superiority of our arms over the enemy ; that, acting under orders which they were bound to obey, they have manifested a patriotism, never, but in our own early annals, surpassed, and have gained victories that will compare, for skill, valor and devotion, with the brightest achievements in the history of any nation.

*Resolved*, That if Mexico shall refuse to adjust the differences between the two nations, on just and equitable terms, and shall continue a contest so disastrous to her people and revolting to the humanity of the age, the honor of the American nation and the spirit of the American people, will demand that the war be vigorously prosecuted, as the only means of obtaining, what is greatly to be desired, a speedy, permanent and honorable peace.

Mr. Cole moved to amend the report of said majority committee, by adding to said resolutions reported by them, the following :

*Resolved*, That we have great reason to be thankful to an overruling Providence for the great probability that peace will be speedily restored between this country and Mexico, and our earnest prayer.

is, that such peace may be lasting, and the source of rich blessings to both nations.

The President then put the question upon agreeing to said motion, which was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Fine	Mr. W. Hall
Mr. Bokee	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Little
Mr. Clark	Mr. Geddes	Mr. Martin
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cook		

19

**FOR THE NEGATIVE.**

Mr. Adams	Mr. Hawley	Mr. Whallon
Mr. Betts		

4

The President put the question upon agreeing to the substitute offered by Mr. Fine for all of said resolutions, which motion was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Whallon

6

**FOR THE NEGATIVE.**

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. W. Hall	

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Mr. Floyd then moved that the further consideration of said resolutions be laid on the table, which motion was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Whallon

6

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Cole		

16

The question then being upon agreeing to said third resolution,

Mr. Fine called for a division of the same.

The President put the question upon agreeing to the first branch of said resolution, being all thereof except the words therein "or extending the area, power or influence of slavery," which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. W. Hall	

17

FOR THE NEGATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Whallon

6

The President then put the question upon agreeing to the second branch of said resolution, being the words therein "or extending the area, power or influence of slavery," which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	Mr. Wilkin
Mr. Cook		

22

FOR THE NEGATIVE.

Mr. Adams

1

The President then put the question upon agreeing to the said fourth resolution, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Hawley
Mr. Bokee	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Little
Mr. Clark	Mr. Geddes	Mr. Martin
Mr. Cole	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cook	Mr. W. Hall	Mr. Wilkin

21

## FOR THE NEGATIVE.

Mr. Adams	Mr. Betts	2
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The President then put the question upon agreeing to the said fifth resolution, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Little
Mr. Bush	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin

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## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Whallon
Mr. Betts	Mr. Hawley	5

The question then being upon agreeing to said sixth resolution,

Mr. Adams moved to amend the same by striking out thereof the words, "that acting under orders, which they were bound to obey," which motion was decided in the negative.

The President then put the question upon agreeing to said resolution, which was decided in the affirmative.

The president then put the question upon agreeing to said seventh resolution, which was decided in the affirmative.

The President then put the question upon agreeing to said eighth resolution, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Gale	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Johnson

Mr. Bokee	Mr. Floyd	Mr. Lawrence	
Mr. Bond	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Fuller	Mr. Martin	
Mr. Bush	Mr. Geddes	Mr. Wilkin	21

The bill entitled, "An act to divide the town of Union and erect the town of Maine in the county of Broome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley	
Mr. Ayrault	Mr. Floyd	Mr. Johnson	
Mr. Betts	Mr. Fox	Mr. Lawrence	
Mr. Bond	Mr. Fuller	Mr. Little	
Mr. Burch	Mr. Geddes	Mr. Martin	
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Clark	Mr. W. Hall	Mr. Wilkin	
Mr. Cole			22

The bill entitled, "An act to divide the town of Salina and to erect the town of Geddes, in the county of Onondaga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Geddes	
Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall	
Mr. Betts	Mr. Cook	Mr. Hawley	
Mr. Bokee	Mr. Fine	Mr. Johnson	
Mr. Bond	Mr. Floyd	Mr. Lawrence	
Mr. Burch	Mr. Fox	Mr. Little	
Mr. Bush	Mr. Fuller	Mr. Martin	21

The bill entitled, "An act for the protection of emigrants arriving in the State of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Ayrault	Mr. Fine	Mr. Johnson	
Mr. Betts	Mr. Fox	Mr. Lawrence	
Mr. Bokee	Mr. Fuller	Mr. Martin	
Mr. Bond	Mr. Geddes	Mr. Whallon	
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Clark	Mr. W. Hall	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Floyd

1

*Ordered,* That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act in relation to the town and village of Williamsburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. W. Hall	

23

The bill from the Assembly entitled, "An act to authorise the First Universalist Society of Lima to use the proceeds of the sale of the lower story of their meeting house in the improvement of the upper part," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. W. Hall	

23

*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise twenty-five thousand dollars by loan and to fund the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The Assembly returned the bill entitled, "An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo," with a message informing that they had passed the same with the amendments therewith delivered, which were read.

Mr. Cole moved that the Senate do concur in said amendments.

Without taking any question on said motion,

The Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then proceeded to the consideration of the motion to concur with the Assembly in their amendments to the bill entitled, "An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach, of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo," which was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	

20

#### FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd
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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

On motion of Mr. Johnson,

*Ordered,* That the bill entitled, "An act for the formation of railroad companies," and the concurrent resolutions reported by the committee on railroads, be made the special order for Thursday next.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to appropriate portions

of the income of the United States Deposit Fund to certain colleges," and Mr. Floyd, from said committee, reported said bill with amendments, and with the title altered so as to read as follows: "An act to appropriate portions of the income of the United States Deposit and Literature Funds to certain colleges and academies and for other purposes," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the more effectual protection of the property of married women," and Mr. Lawrence, from said committee, reported progress, and obtained leave to sit again

By unanimous consent.

Mr. Bush, from the select committee, reported complete the bill entitled, "An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then adjourned until ten o'clock to-morrow morning.

### WEDNESDAY, 10 O'CLOCK, A. M., MARCH 15, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Warren.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Bokee offered the following concurrent resolutions, which were agreed to by the Senate:

*Resolved*, (if the Assembly concur,) That in the death of Ambrose Spencer, the State of New-York has lost one of its most illustrious citizens—one who was a profound jurist, a sagacious statesman, a man venerable for his long career of public service, and whose name is imperishably identified with the history of the State.

*Resolved*, (if the Assembly concur,) That both Houses of the Legislature will, in a body, attend the funeral of the distinguished deceased, as a testimonial of honor to his memory and respect for his usefulness.

*Resolved*, (if the Assembly concur,) That a joint committee, of three from the Senate and five from the Assembly, be appointed to make the necessary arrangements.

Thereupon,

*Ordered*, That Mr. Bokee, Mr. Floyd and Mr. Wilkin, be of said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolutions to the Assembly, and request their concurrence therein.

Afterwards,

The Assembly returned said resolutions, with a message informing that they had concurred therein, and had appointed Mr. Phoenix, Mr. Slade, Mr. Townsend, Mr. Petit and Mr. Chipman, of said committee on the part of the House.

Mr. Coffin presented the petition of Winthrop Phelps and others praying for relief, which was referred to the committee on literature.

By unanimous consent,

Mr. Coffin introduced a bill entitled, "An act for the relief of the trustees of school district No. 10 in the town of Chatham," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

Mr. Fine presented the petition of Wm. B. Lawrence relating to the will of Israel Lawrence, which was referred to the committee on the judiciary.

Mr. Fine also presented three several petitions of inhabitants of Oswego in relation to the Oswego bridge, which was referred to the select committee having the bill on that subject in charge.

Mr. Fine also presented the petition of members of the Reformed Protestant Dutch Church of Schenectady, which was referred to the committee on the judiciary.

Mr. Wilkin presented the petition of sundry inhabitants of the county of Orange praying for a law to preserve game in the county of Orange, which was referred to the committee on the judiciary.

Mr. Burch presented the petition of inhabitants of Hamilton co., for further time to complete the road from Newkirk's mills to Piseco village, which was referred to the committee on roads and bridges.

Mr. Lawrence presented the memorial of Shepherd Knapp and others, of the city of New-York, praying for restraints upon the exhibitions of "model artists," which was referred to the committee on the judiciary.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill entitled, "An act in relation to school district No. 12 in the town of Milton in the county of Saratoga," which was committed to the committee of the whole.

(See Senate Bill No. 139.)

Mr. Cook, from the committee on claims, reported adversely to the petition of John Strong and others for the passage of a law to compensate them for damages done by the breach of the Erie canal, and excavations made from the repair thereof in the town of Rotterdam in the county of Schenectady, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Lawrence, from the committee on finance, reported in favor of

the passage of the bill from the Assembly entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise twenty-five thousand dollars by loan and to fund the same, which was committed to the committee of the whole.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising William Carman to establish a ferry across Cayuga lake,' passed May 20, 1836," which was, by unanimous consent, ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Coffin	Mr. Hawley	

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#### FOR THE NEGATIVE.

Mr. Martin

1

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," also

"An act to appropriate portions of the income of the United States Deposit and Literature Funds to certain colleges and academies and for other purposes."

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act to confirm the official acts of Samuel G. Gage, a justice of the peace," which report was agreed to, and the bill ordered to a third reading.

Mr. Clark, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Clark, from the same select committee, reported complete, with amendments, the bill entitled, "An act to equalise the repre-

sentation in the several boards of supervisors in this State," which report was laid on the table.

Mr. Adams, from the select committee, reported complete the bill from the Assembly entitled, "An act to erect the town of Gilboa from Broome and Blenheim," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The report of the bank for savings of the city of New-York was received, and laid on the table.

On motion of Mr. Little, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to secure to school district No. 4 in Edmeston and No. 6 in the town of Pittsfield in the county of Otsego the legacies of Adin Deming deceased," and that the same be ordered to a third reading.

On motion of Mr. Lawrence,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Lawrence, Mr. Bond and Mr. Adams, be said committee.

On motion of Mr. Bush,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 28, 1832, and the various acts amendatory thereof, passed April 17, 1843," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Bush, Mr. Fine and Mr. Bokee, be said committee.

On motion of Mr. W. Hall, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to amend an act entitled, 'An act for the adjustment of claims incurred for military purposes in the city of New-York, and for the distribution of commutation money received under the act passed May 3, 1846,' passed Nov. 27, 1847," and that the same be ordered to a third reading.

On motion of Mr. W. Hall,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to amend the acts incorporating the East River Mutual Insurance Company, and to change its name," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. W. Hall, Mr. Little and Mr. Hawley, be said committee.

On motion of Mr. Adams,

*Ordered*, That a committee consisting of one Senator from each judicial district, be appointed to select such bills from the general orders as they may think advisable and safe to refer to a select committee to report complete, and that the President refer such bills to select committees to report complete.

*Ordered*, That Mr. Adams, Mr. Coffin, Mr. W. Hall, Mr. Fine, Mr. Geddes, Mr. S. H. P. Hall, Mr. Hawley and Mr. Cole, be said committee.

The bill entitled, "An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Frost	Mr. Wilkin
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Coffin		

22

The bill entitled, "An act to appropriate portions of the income of the United States Deposit and Literature Funds to certain colleges and academies, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Clark	Mr. Hawley	

23

FOR THE NEGATIVE.

Mr. Floyd	1
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*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to confirm the official acts of Samuel G. Gage, a justice of the peace," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams

24

FOR THE NEGATIVE.

Mr. Floyd	1
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The bill from the Assembly entitled, "An act to secure to school district No. 4 in Edmeston and No. 6 in the town of Pittsfield in the county of Otsego the legacies of Adin Deming deceased," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Wilkin

Mr. Bush  
Mr. Clark

Mr. Fuller  
Mr. W. Hall

Mr. Williams

20

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Assembly returned the bill entitled, "An act to provide for the appraisment and payment of damages sustained by Henry B. Hewett and William Beach of the city of Albany for the loss of the canal boat N. P. Stone, of Rochester, and cargo."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to repeal an act entitled, 'An act to pay Henry Storms a compensation for extra services rendered the State,' passed December 15, 1847, and in relation to the duties of Commissary General," and Mr. Hawley, from said committee, reported said bill with amendments, and with the title thereof altered so as to read as follows: "An act to repeal the act passed December 15, 1847, entitled 'An act to pay Henry Storms a compensation for extra services rendered the State,'" which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill be made the special order for Friday next.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens," also

"An act to provide for a free school in district No. 4 in the town of Newtown in the county of Queens," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on literature.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit :

"An act to authorise Archibald Bennie, an alien, to hold and convey real estate ;" also

"An act in relation to the act entitled, 'An act to amend title five of chapter six of the third part of the Revised Statutes, 'of executions against property,' passed November 30, 1847,' " which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the formation of the Niagara Falls House Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on privileges and elections.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the tax on dogs in Queens county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the publication of election notices," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on privileges and elections.

The Assembly returned the bill entitled, "An act to incorporate the Utica Waterworks Company," with a message informing that they had passed the same with the amendments therewith delivered, which were read and concurred in, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Fox	Mr. Johnson
Mr. Burch	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

22

*Ordered,* That the Clerk return the same to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

Then the Senate adjourned until ten o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 16, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Armitage.

The journal of yesterday was read and approved.

Mr. S. H. P. Hall presented the petition of Augustus Morgan, of Binghamton, to be paid certain damages, which was referred to a select committee consisting of Mr. S. H. P. Hall, Mr. Floyd and Mr. Williams.

Mr. Frost presented the petition of Morgan and Waterhouse and others, of the city of New-York, for a general savings bank law, which was referred to the committee on banks and insurance companies.

Mr. Hawley presented two several petitions of citizens of Steuben county for the passage of a law to tax debts due non-residents, which were referred to the committee on finance.

Mr. Hawley also presented the petition of citizens of school district No 5 in the town of Bath, in the county of Steuben, praying for a law to support their school by tax, which was referred to the committee on literature.

Mr. Cook presented two several remonstrances of citizens of Washington county against allowing the northern railroad company to bridge Lake Champlain at Rouse's Point, which was referred to the committee of the whole when upon the bill in relation to the northern railroad.

Mr. Cook also presented the memorial of John McDonald respecting county expenses, which was referred to the committee on grievances.

Mr. Fine presented the petition of citizens of New-York praying for an alteration of the usury laws, which was referred to the committee on the judiciary.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise Archibald Bennie, an alien, to hold and convey real estate," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage of two several bills with the following titles, to wit:

"An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings;" also

"An act to cede certain lands to the village or city of Oswego, as the case may be," which were severally committed to the committee of the whole.

Mr. Wilkin, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act relating to

the will of Isaac Lawrence," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 142.)

Mr. Wilkin, from the same committee, reported adversely to the several petitions of inhabitants of Otsego and Chenango counties in relation to proceedings in criminal cases, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Wilkin, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act to amend the fifty-first section of an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Wilkin, from the same committee, reported in favor of the passage of the bill entitled, "An act to amend the Revised Statutes relative to obtaining possession of land by summary proceedings," which was committed to the committee of the whole.

(See Senate Bill No. 140.)

Mr. Wilkin, from the same committee, reported adversely to the passage of two several bills with the following titles, to wit:

"An act in relation to the lien created for the better security of mechanics and others erecting buildings and furnishing materials therefor;" also

"An act to amend 'An act in relation to the judiciary,' passed May 12, 1847," which reports were severally agreed to by the Senate.

Mr. Fine, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorize the election of elders and deacons of the Reformed Protestant Dutch Church of the city of Schenectady, by the male communicants thereof," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 143.)

Mr. Bush, from the committee on privileges and elections, reported adversely to the passage of the bill from the Assembly entitled, "An act in relation to the publication of election notices," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Bush, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," which was committed to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of destitute families of seamen" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 141.)

Mr. Bond, from the committee on literature, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit :

"An act to provide for a free school in district No. 4 in the town of Newtown, in the county of Queens;" also

"An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens," which were severally committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit :

"An act to repeal the act passed December 15, 1847, entitled, 'An act to pay Henry Storms a compensation for extra services rendered the State,' " also

"An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843;" also

"An act to amend an act entitled, 'An act for the adjustment of claims incurred for military purposes in the city of New-York, and for the distribution of the commutation moneys received under the act passed May 3, 1846,' passed Nov. 27, 1847."

Mr. Bush, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend the act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 28, 1832, and the various acts amendatory thereof, passed April 17, 1843," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill entitled, "An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said last two mentioned bills as correctly engrossed.

By unanimous consent,

Mr. Cook introduced a bill entitled, "An act for the relief of Holloway Long," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

On motion of Mr. Geddes,

*Resolved*, That the petition of Samuel Hart and William Candee for the passage of a law authorising their damages to be assessed for a breach of contract on the part of the State, presented at the last session, together with the papers relating thereto, be taken from the files of the Senate and delivered to the petitioners, to be used before the canal board upon the hearing of said claim.

On motion of Mr. Cook,

*Resolved*, That the petition of Theodore Cudney praying for the passage of a law to change his name, presented at the present session, be taken from the files of the Senate and returned to the petitioner.

Mr. Clark moved a reconsideration of the vote taken yesterday upon concurring with the Assembly in their amendments to the bill entitled, "An act to incorporate the Utica Waterworks Company," which motion was laid on the table.

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to consolidate and amend the act to incorporate the city of Buffalo,' passed April 28, 1832, and the various acts amendatory thereof, passed April 17, 1843," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Burch	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	

23

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act to amend an act entitled, 'An act for the adjustment of claims for military purposes in the city of New-York, and for the distribution of the commutation moneys received under the act passed May 3, 1846,' passed November 27, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	

20

The bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Burch	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Wilkin

21

The bill entitled, "An act to repeal the act passed December 15, 1847, entitled 'An act to pay Henry Storms a compensation for extra services rendered the State,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Bond	Mr. Geddes	Mr. Martin
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Bush		

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*Ordered,* That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence therein.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of railroad corporations," and the concurrent resolutions reported by the committee on railroads, and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

A message was received from the Governor, informing that he had approved and signed the bill entitled, "An act for the relief of Ludwig Brumleu."

The Assembly returned the bill entitled, "An act in relation to firemen in the several cities and villages of the State," with a message informing that they had agreed to the report of the committee on conference on their amendments thereto, receding from their said amendments, and had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the turnpike road of said company a public highway," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the surrogate of the county of New-York to record and deliver to the person or persons who propounded the same for probate, a certain instrument in writing purporting to be the last will and testament of Isaac Lawrence deceased," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to confirm the several town elections held in the county of Cattaraugus on the fourth Tuesday of February 1848," which was which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. W. Hall
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Martin
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Geddes, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirks mills to Piseco village,' which was read

the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of railroad corporations," and the concurrent resolutions reported by the committee on railroads, and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

*Ordered*, That said bill and resolutions be made the special order for to-morrow.

On motion of Mr. Fine, and by unanimous consent,

*Ordered*, That the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," be made the special order for Monday next.

The Senate then adjourned until ten o'clock to-morrow morning.

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#### FRIDAY, 10 O'CLOCK A. M., MARCH 17, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Warren.

The Journal of yesterday was read and approved.

Mr. Whallon presented two several remonstrances of inhabitants of Essex county against a bridge across Lake Champlain at Rouses Point, which were referred to the committee of the whole when upon the bill in relation to the northern railroad.

Mr. Johnson presented the remonstrance of Garrit H. Stryker against the passage of the proposed law authorising the common council of the city of New-York to resell lands for assessments, which was referred to the committee on the judiciary.

Mr. Fuller presented the petition of D. S. Crandall and others for the passage of a law to appoint a board of commissioners to settle claims against the State under the stop law of 1842, which was referred to the committee on canals.

Mr. Fine presented the petition of inhabitants of Jefferson and Lewis counties for the incorporation of the Black river steamboat company, which was referred to the committee on commerce and navigation.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise Adriham Rogers to take the oath of office as coroner of the county of Cayuga," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Mr. Wilkin, from the same committee, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act to authorise the surrogate of the county of New-York to record and deliver to the person who propounded the same for probate, a certain instrument in writing, purporting to be the last will and testament of Isaac Lawrence deceased;" also

"An act in relation to the act entitled, 'An act to amend title five of chapter six of the third part of the Revised Statutes, 'of executions against property,' passed November 30, 1847,' " which were severally committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported in favor of the passage of the bill entitled, "An act to confirm the official acts of Samuel E. Day as one of the associate justices for sessions, in and for the county of Cayuga," which was committed to the committee of the whole.

Mr. Wilkin, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act for the preservation of game in the county of Orange," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Doc. No. 147.)

Mr. Cook, from the committee on claims, to which was referred the petition for that purpose, reported for the consideration of the Senate, a bill entitled, "An act for the relief of Joseph G. Case," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill entitled, "An act for the relief of the trustees of school district No. 10 in the town of Chatham," which was committed to the committee of the whole.

(See Senate Bill No. .)

Mr. Fox, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to annex a part of the town of Shawangunk to the town of Plattekill in the county of Ulster,'" which was committed to the committee of the whole.

Mr. Bokee, from the joint select committee of the two Houses of the Legislature, charged with the duty of arranging for the funeral

services of the late Ambrose Spencer, reported the following as the order of proceeding, which report was agreed to by the Senate :

Both Houses will meet in their respective chambers on Saturday, at half past 2 o'clock P. M.

The Governor and State officers will assemble in the executive chamber at the same hour.

The procession will be formed at 3 o'clock P. M., under the direction of the committee of arrangements, assisted by the Sergeant-at-Arms of both Houses, in the following order, viz :

The committee of arrangements,

The Governor,

State officers,

The Senate, preceded by its officers,

The Assembly, preceded by its officers,

and proceed to St. Peter's church, where the services will be performed.

After the service, the procession will form in the same order, and accompany the remains towards the place of interment, when it will return to the hall of the capitol and adjourn.

The flag on the capitol to be hoisted at half mast during the ceremonies.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of five several bills from the Assembly, with the following titles, to wit :

"An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis ;" also

"An act in relation to the sale of lands in the Canada and Nova Scotia refugee tract in the town of Plattsburg ;" also

"An act to levy a tax upon the town of Peru to pay a debt against said town ;" also

"An act to punish abduction as crime ;" also

"An act to punish seduction as a crime ;" also

"An act to authorise the president, directors and company of the Catskill bank to reduce their capital," and referring the same to select committees to consider and report complete, which report was agreed to by the Senate.

*Ordered,* That the bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," be referred to a select committee consisting of Mr. Coffin, Mr. Whallon and Mr. Frost, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the sale of lands in the Canadian and Nova Scotia refugee tract in the town of Plattsburg," be referred to a select committee consisting of Mr. Ayrault, Mr. Cornwell and Mr. Clark, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to levy a tax upon the town of Peru to pay a debt against said town,"

be referred to a select committee consisting of Mr. Fine, Mr. Burch and Mr. Coffin, to consider and report complete.

*Ordered*, That two several bills from the Assembly with the following titles, to wit: "An act to punish abduction as a crime," also "An act to punish seduction as a crime," be referred to a select committee consisting of Mr. Cole, Mr. Hawley and Mr. Cornwell, to consider and report complete.

*Ordered*, That the bill entitled, "An act to authorise the president, directors and company of the Catskill bank to reduce its capital," be referred to a select committee consisting of Mr. Adams, Mr. Burch and Mr. Cook, to consider and report complete.

Mr. W. Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend the acts incorporating the East River Mutual Insurance Company, and to change its name," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence offered the following preamble and concurrent resolutions, which were agreed to by the Senate, to wit:

*Whereas*, It has been made evident that the immigrants coming to the United States from foreign countries are subject to frequent impositions, and to great sufferings on their voyage, by reason of the want of proper accommodations, and the crowded quarters to which they are confined, without sufficient ventilation, and often with scant and insufficient supplies of food, and by reason of the want of proper medical attendance during the voyage;

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be requested to use their best endeavors to obtain the passage of a law by Congress, requiring of all vessels bringing to any port of the United States, any alien immigrant passengers, to limit the number of such immigrants, whatever may be the size of the vessel; to cause the apartments occupied by such immigrants to be properly ventilated; to prescribe a proper quantity of suitable food to be provided for each immigrant, and to require that provision be made for medical care and attention during the voyage.

*Resolved*, That the Governor be requested to transmit a copy of this preamble and resolution, (certified by the President of the Senate and Speaker of the Assembly,) to each of our Senators and Representatives in Congress.

*Ordered*, That the Clerk deliver a copy of said preamble and resolutions to the Assembly, and request their concurrence therein.

On motion of Mr. Burch,

*Ordered*, That the bill entitled, "An act to incorporate the United States Mail Steamship Company," be made the special order for to-morrow.

On motion of Mr. Geddes,

*Ordered*, That the bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," be made the special order for to-morrow.

The bill entitled, "An act for the relief of the legal heirs and de-

visees of Elizabeth Gilchrist," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Cornwell	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Burch	Mr. Fox	Mr. Little
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. Geddes	

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The bill entitled, "An act to authorise Abram Rogers to take the oath of office as coroner of the county of Cayuga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. Geddes	Mr. Wilkin
Mr. Cole		

25

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled, "An act to amend the acts incorporating the East River Mutual Insurance Company, and to change its name," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Ayrault	Mr. Floyd	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon

Mr. Clark  
Mr. Cook

Mr. W. Hall  
Mr. Hawley

Mr. Wilkin  
Mr. Williams 21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the city of Oswego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

The Assembly returned two several bills with the following titles, to wit:

"An act to divide the town of Salina and erect the town of Geddes, in the county of Onondaga;" also

"An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act in relation to the town and village of Williamsburgh,' passed March 15, 1848," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to consider and report complete.

A communication from the Secretary of State, transmitting abstracts of the reports of the superintendents of the poor for the year 1847 was received, and laid on the table.

(See Senate Doc. No. .)

A motion to print 100 extra copies of said report for the use of said Secretary, and five times the usual number of copies thereof for the use of the Legislature, was referred to the committee on public printing.

The Senate took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the report of the commissioners on practice and pleadings, entitled,

"An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," and Mr. S. H. P. Hall, from said committee, reported said bill with amendments.

*Ordered*, That said bill be refused to a select committee, to consider and report complete.

*Ordered*, That Mr. Fuller, Mr. Hawley, Mr. Geddes, Mr. Floyd and Mr. Burch, be said committee.

By unanimous consent,

Mr. Wilkin, from the committee on the judiciary, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the town and village of Williamsburgh,' passed March 15, 1848," which was ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Clark	Mr. Frost	Mr. Whallon
Mr. Coffin	Mr. Fuller	Mr. Wilkin
Mr. Cole	Mr. Geddes	Mr. Williams
Mr. Cook		

22

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Fine, from the select committee, reported complete the bill from the Assembly entitled, "An act to levy a tax upon the town of Peru, to pay a debt against said town," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of railroad corporations," and the concurrent resolutions reported by the committee on railroads, and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

On motion of Mr. Johnson,

*Ordered*, That said bill and resolutions be made the special order for Monday next.

A bill was received from the Assembly for concurrence entitled, "An act for the preservation of the public health," which was read the first time, and by unanimous consent was also read a second

time, and referred to the committee on medical societies and colleges.

The Senate then adjourned until ten o'clock to-morrow morning.

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### SATURDAY, 10 O'CLOCK A. M., MARCH 18, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. J. N. Campbell.

The journal of yesterday was read and approved.

Mr. Adams presented the remonstrance of William Beach Lawrence, jr., against the passage of the bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to resell certain lands and tenements for taxes in said city, and to fund an amount sufficient to repay the purchase money from former sales of such lands and tenements," which was referred to the committee on the judiciary.

Mr. Johnson presented the petition of David Tomlinson for a repeal of the law for the equalization of taxation, which was referred to the select committee upon so much of the Governor's message as relates to landlords and tenants.

Mr. Cook presented the petition of inhabitants of the town of Day, Saratoga county, to raise money to build a bridge, which was referred to the committee on roads and bridges.

On motion of Mr. Martin,

*Ordered*, That the committee on canals be discharged from the further consideration of the memorial of the Niagara river hydraulic company in relation to the improvements at Squaw Island for the purpose of relieving Buffalo harbor, and also other memorials on the same subject, and that the same be referred to the Canal Board.

Mr. Coffin, from the committee on poor laws, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," which was committed to the committee of the whole.

Mr. W. Hall, from the committee on the militia, reported in writing adversely to the passage of the bill from the Assembly entitled, "An act to complete the organization of the twelfth regiment of the first division of the New-York State militia," which was committed to the committee of the whole.

(See Senate Doc. No. .)

Mr. Cornwell, from the committee on railroads, reported for the consideration of the Senate the bill entitled, "An act to amend the

charter of the Attica and Hornellsville Railroad Company," which was committed to the committee of the whole.

Mr. Whallon, from the committee on the division of towns and counties, to which was referred the petition for that purpose, reported a bill entitled, "An act to erect the town of Millville from parts of Cohocton and Dansville in Steuben county," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 152.)*

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to incorporate the city of Oswego," which was referred to a select committee consisting of Mr. Bond, Mr. Martin and Mr. Betts, to consider and report complete.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act in relation to courts of record in Oswego county," which was committed to the committee of the whole.

*(See Senate Bill No. 150.)*

Mr. Wilkin, from the same committee, reported adversely to the petition of inhabitants of the town of Hancock for the passage of a law authorising Elisha Richards to hold the office of justice of the peace, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise Samuel W. Harned to construct a set of ways for launching vessels," which was committed to the committee of the whole.

Mr. Burch, from the same committee, reported adversely to the passage of the bill entitled, "An act to amend an act entitled, 'An act for the prevention of frauds in the sale of oils,' passed May 25, 1836," which was committed to the committee of the whole.

*(See Senate Bill No. 151.)*

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the turnpike road of said company a public highway," which was committed to the committee of the whole.

Mr. W. Hall, from the committee on public printing, reported in favor of printing 100 extra copies of the abstracts of the reports of superintendents of the poor for the year 1847, for the use of the

Secretary of State, also 500 extra copies thereof for the use of the Legislature, which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Cornwell, from the committee on railroads, reported a bill entitled, "An act to provide for the construction of a railroad from Syracuse to Rochester on the most direct and eligible route," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 154.)

Mr. Coffin, from the select committee, reported complete the bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill entitled, "An act to reduce the tolls of the Oswego Bridge Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee, reported complete the bill entitled, "An act to authorise the president, directors and company of the Catskill bank to reduce their capital," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cole, from the select committee, reported complete the bill from the Assembly entitled, "An act to punish abduction as a crime," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of three several bills from the Assembly with the following titles, to wit:

"An act to authorise Archibald Bennie, an alien, to hold and convey real estate;" also

"An act to amend an act entitled, 'An act to extend to the city and county of New-York the provisions of the general act in relation to common schools', passed April 11, 1842;" also

"An act to authorise the surrogate of the county of New-York to record and deliver to the person or persons who propounded the same for probate, a certain instrument in writing purporting to be the last will and testament of Isaac Lawrence deceased;" also the bill entitled,

"An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1847," and referring the same to a select committee to consider and report complete.

Thereupon,

*Ordered*, That the bill from the Assembly entitled, "An act to authorise Archibald Bennie, an alien, to hold and convey real estate," be referred to a select committee consisting of Mr. Frost, Mr. Bond and Mr. Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to extend to the city and county of New-York the provisions of the general act in relation to common schools,' passed April 11, 1842," be referred to a select committee consisting of Mr. Lawrence, Mr. Fuller and Mr. Fox, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the surrogate of the county of New-York to record and deliver to the person who propounded the same for probate, a certain instrument in writing, purporting to be the last will and testament of Isaac Lawrence deceased," be referred to a select committee consisting of Mr. Williams, Mr. Ayrault and Mr. Geddes, to consider and report complete.

*Ordered*, That the bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," be referred to a select committee consisting of Mr. Fine, Mr. Cook and Mr. Martin, to consider and report complete.

The Assembly returned the bill entitled, "An act providing compensation to Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

By unanimous consent.

Mr. Burch introduced a bill entitled, "An act to repeal 'An act to appoint commissioners to lay out a road from Palatine bridge in Montgomery county through Palatine, Ephratah, Pleasant Valley and Garoga, to lands belonging to the State in the county of Fulton,' passed December 10, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

The report of the Canal Board in answer to a resolution of the Senate, referring to them for their opinion, the petition of citizens of Rochester for the passage of a law in relation to certain claims for canal damages, and the bill in relation thereto, was received, and referred to the committee on canals.

(See Senate Doc. No. 48.)

A message was received from the Governor, informing that he had approved and signed four several bills with the following titles, to wit:

"An act to provide for the appraisement and payment of damages sustained by Henry B. Hewett and William Beach, of the city of Albany, for the loss of the canal boat N. P. Stone, of Rochester, and cargo;" also

"An act in relation to firemen in the several cities of the State;" also

"An act to divide the town of Salina and to erect the town of Geddes in the county of Onondaga;" also

"An act providing compensation for Jonas A. Hughston, late district attorney of the county of Delaware, for extra services rendered in said county during the year 1845."

On motion of Mr. Clark,

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act to equalise the representation in the several boards of supervisors in this State," heretofore made.

Debates being had thereon, without taking any question,

*Ordered*, That said bill be recommitted to the committee of the whole, and made the special order for Wednesday next.

On motion of Mr. Burch,

*Resolved*, That a respectful message be sent to the Assembly, requesting them to take from the files of their House, the papers relating to the passage and repeal of a law passed December 10, 1847, to appoint commissioners to lay out a road from Palatine bridge in Montgomery county to the lands belonging to the State in Fulton county, and transmit the same to the Senate.

By unanimous consent,

Mr. Coffin introduced a bill entitled, "An act to authorise the formation of corporations for the purpose of steam navigation on the Atlantic ocean," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole when upon the bill entitled, "An act to incorporate the United States Mail Steamship Company."

On motion of Mr. Johnson,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act for the formation of railroad corporations," and the resolutions connected therewith, and that said resolutions be laid upon the table of the Senate, and said bill be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Johnson, Mr. Cornwell, Mr. Whallon, Mr. Geddes and Mr. Martin, be such committee

The bill from the Assembly entitled, "An act to levy a tax upon the town of Peru to pay a debt against said town." was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Boker  
Mr. Bond

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost

Mr. W. Hall  
Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Martin

Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cook

Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Whallon  
Mr. Wilkin  
Mr. Williams

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The bill from the Assembly entitled, "An act to punish abduction as a crime," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

23

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

On motion of Mr. Johnson,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to provide for the incorporation of insurance companies," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Mr. Bokee, Mr. Hawley and Mr. Lawrence, be said committee.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," and Mr. Williams, from said committee, reported said bill with amendments, which was laid on the table.

Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 20, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. W. H. Campbell.

The journal of Saturday was read and approved.

Mr. Whallon presented five several remonstrances of inhabitants of Clinton county, against bridging Lake Champlain, which were referred to the committee of the whole when upon the bill in relation to the northern railroad.

Mr. Whallon also presented four several petitions of inhabitants of Clinton county for the location of the eastern termination of the northern railroad at the village of Plattsburg, which were referred to the same committee.

Mr. Fine presented the remonstrance against the passage of the bill to alter the charter of the Dutch church of Schenectady, which was referred, together with said bill, to the committee on the judiciary.

Mr. Bond presented the petition of several hundred citizens of Oswego county asking for the erection of a county jail in the village of Oswego, which was referred to the committee on the judiciary.

Mr. Hawley presented the remonstrance of the Oswego Bridge Company against any further legislation on their chartered rights, which was laid on the table.

Mr. Hawley also presented the petition of school district No. 5 in Bath, praying for the passage of a law establishing a free school in said district, which was referred to the committee on literature.

Mr. Tamblin presented the petition of citizens of Jefferson and Lewis counties, praying for the incorporation of a company to provide for the navigation of Black river, &c., which was referred to the committee on canals.

Mr. Fine presented two several petitions of H. Van Rensselaer and others, of St. Lawrence county, in favor of the application of the northern railroad company, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Whallon presented the remonstrance of 81 citizens of Essex county against a bridge across Lake Champlain at Rouse's Point, which was referred to the same committee.

Mr. Tamblin presented four several petitions of inhabitants of Jefferson, Lewis and Franklin counties, praying for the incorporation of a company to construct a railroad from Sacket's Harbor to Saratoga, which was referred to the committee of the whole when upon the bill on that subject.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act to authorise the president, directors and company of the Catskill bank to reduce its capital;" also

"An act to reduce the tolls of the Oswego Bridge Company."

Mr. Coffin, from the committee on trade and manufactures, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the formation of the Niagara Falls House Company," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, to which was referred a petition for that purpose, reported a bill entitled, "An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 155.)

Mr. Lawrence, from the select committee, to which was referred the several petitions for that purpose, reported a bill entitled, "An act in relation to Washington Park in the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Mr. Fine, from the select committee, reported complete the bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said last two mentioned bills as correctly engrossed.

Mr. Ayrault, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the surrogate of the county of New-York to record and deliver to the person or persons who propounded the same for probate, a certain instrument in writing purporting to be the last will and testament of Isaac Lawrence deceased," which report was agreed to by the Senate.

Mr. Frost, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise Archibald Bennie, an alien, to hold and convey real estate," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to incorporate the city of Oswego," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to extend to the city and county of New-York the provisions of the general act in relation to common schools,' passed April 11, 1842," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of the bill entitled, "An act to repeal 'An act to appoint commissioners to lay out a road from Palatine bridge in

Montgomery county, through Palatine, Ephratah, Pleasant Valley and Garoga, to lands belonging to the State in the county of Fulton,' passed Dec. 10, 1847," which was committed to the committee of the whole.

(See Senate Bill No. 156.)

By unanimous consent,

Mr. Bond introduced a bill entitled, "An act to build a jail in the village or city of Oswego, as the case may be," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Coffin asked for and obtained leave to bring in a bill entitled, "An act to abolish capital punishment," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Mr. Coffin, Mr. Smith, Mr. Fuller, Mr. Whallon and Mr. Treadwell.

By unanimous consent,

Mr. Bond presented the petition of inhabitants of the village of Rome, praying for the passage of the act to amend the charter of said village.

On motion of Mr. Cole,

*Ordered*, That the bill entitled, "An act to incorporate the United States Mail Steamship Company," be made the special order for to-morrow.

On motion of Mr. Adams,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to annex a part of the town of Shawangunk to the town of Plattekill in the county of Ulster,'" and that the same be recommitted to the committee on the division of towns and counties.

On motion of Mr. Bokee,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to extend North Pearl street in Albany and to change the course of Broadway from the north bounds of the city of Albany, northwardly," and that the same be recommitted to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Frost presented the remonstrance of the Saratoga and Schenectady railroad company, which was referred to the committee on railroads.

The Senate then proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," made on the 18th inst.

The first section of said bill as reported by said committee, was read in the words following, to wit:

§ 1. The seventy-third section of the act entitled "An act in re-

lation to the judiciary," passed May 12, 1847, is hereby amended so as to read as follows :

§ 73. There shall be a reporter of the decisions of the court of appeals, to be denominated "State reporter," who shall be appointed by the governor, lieutenant governor and attorney general, and hold his office three years from the date of his appointment, but may be removed by the concurrent vote of both branches of the legislature. It shall be his duty to report every cause argued and determined in that court, which it shall direct him to report, and such others as the public interest shall in his judgment require. To enable him to perform this duty, the judges of that court shall deliver to him such written opinions as they shall prepare upon questions of law. Every decision of the said court which shall be reported, shall be so reported as soon after the same is made as practicable ; and if the reporter shall neglect faithfully to perform his duty, it shall be the duty of the said court to report that fact to the legislature, to the end that he may be removed from office.

Mr. Floyd moved to amend the report of said committee by striking out said first section, and inserting in lieu thereof, as follows :

§ 1. Section seventy-three of the act passed May 12, 1847, entitled "An act in relation to the judiciary," is hereby repealed, and the following inserted in lieu thereof :

§ 73. The judges of the court of appeals shall deliver their written opinions to the clerk of that court, who shall immediately enter them in a book to be provided by him for that purpose, which shall, during office hours, be subject to the inspection of the public, and every person may take copies of the same. The said decisions shall be published under the supervision of the clerk of the court of appeals by contract, to be entered into pursuant to the provisions of the act entitled, "An act in relation to the public printing," passed March 5, 1846.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Floyd	Mr. Smith	Mr. Whallon
Mr. Frost		

7

**FOR THE NEGATIVE.**

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Fuller	Mr. Lawrence
Mr. Bush	Mr. Geddes	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

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Mr. Hawley moved to amend the report of said committee, by inserting in said bill an additional section, as follows :

§ 4. It shall be the duty of the State reporter, after he shall have prepared any decision for publication, and before publishing the same in book form, to cause the said reports, with notes and references, to be published at the expense of the State, in the paper in which legal notices are published by law.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Clark  
Mr. Coffin  
Mr. Floyd

Mr. Hawley  
Mr. Smith

Mr. Tamblin  
Mr. Whallon

7

FOR THE NEGATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Cole  
Mr. Cook

Mr. Fine  
Mr. Frost  
Mr. Fuller  
Mr. Geddes

Mr. W. Hall  
Mr. Johnson  
Mr. Lawrence  
Mr. Martin

13

Mr. Hawley then moved to amend the report of said committee, by inserting in said bill an additional section, as follows :

§ 4. As often as the reporter shall have prepared for publication sufficient of the reports, with the notes and references, to constitute two hundred and fifty pages of the usual size of law reports, he shall cause the same to be published in pamphlet form, with such heading as will appear in the bound volumes, and shall furnish a copy thereof to each county clerk's office, at the expense of the State ; such printing to be done by the person who shall contract to publish the reports under this act, at and in proportion to the prices stipulated in his contract.

The President put the question upon agreeing to said motion, and the vote thereon was as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bush  
Mr. Fine

Mr. Floyd  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Martin

Mr. Smith  
Mr. Tamblin  
Mr. Whallon  
Mr. Williams

13

## FOR THE NEGATIVE.

Mr. Bokee  
Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes

Mr. W. Hall  
Mr. Johnson  
Mr. Little  
Mr. Wilkin

13

The ayes and noes being equally divided,

The President gave the casting vote in the affirmative.

The report of the committee of the whole upon said bill as amended, was then agreed to by the Senate, and said bill ordered to a third reading.

The Senate then proceeded to the consideration of the following concurrent resolutions reported by the committee on railroads, as amended in committee of the whole :

*Resolved*, That the Constitution has not conferred upon the Legislature the power of delegating to railroad corporations by general laws the right to determine whether the public use of their respective proposed roads will be such as to justify the taking of private property for the use of such roads.

*Resolved*, That it is the duty of the Legislature, in each particular case to determine, whether a proposed railroad will be of sufficient public use to justify the exercise of the prerogative of eminent domain, and inasmuch as railroads cannot as a general rule be constructed without the exercise of that prerogative, the objects of such corporations cannot be attained under general laws.

Mr. Geddes called for a division of the question upon agreeing to said resolutions.

The President put the question upon agreeing to said first resolution, which was decided in the affirmative.

The question then being upon agreeing to said second resolution,

Mr. Geddes moved to amend the same by striking out thereof all after the word "resolved," and inserting in lieu thereof as follows :

"That the objects of railroad corporations can be attained under general laws."

Without taking any question thereon,

Mr. Floyd moved to lay the further consideration of the same on the table, which motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bush  
Mr. Clark

Mr. Coffin  
Mr. Cook  
Mr. Cornwell  
Mr. Floyd  
Mr. Fox  
Mr. Frost

Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Martin  
Mr. Whallon  
Mr. Williams

17

FOR THE NEGATIVE.

Mr. Bond  
Mr. Cole

Mr. Fuller

Mr. Wilkin

4

The bill entitled, "An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Bush  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

23

FOR THE NEGATIVE.

Mr. Floyd

1

The bill entitled, "An act in relation to Washington Park in the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Bush  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall

Mr. Johnson  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

24

The bill entitled, "An act to authorise the president, directors and company of the Catskill bank to reduce their capital," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Fox	Mr. Tamblin
Mr. Clark	Mr. Frost	Mr. Whallon
Mr. Coffin	Mr. S. H. P. Hall	

20

The bill entitled, "An act to reduce the tolls of the Oswego Bridge Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Coffin	Mr. Geddes	Mr. Williams

18

*Ordered,* That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," coming up for a third reading,

Mr. Cornwell moved to recommit the same to the committee on the division of towns and counties, to consider and report complete, with instructions, which motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Cornwell	Mr. Johnson
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole		

13

## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Fox	Mr. Tamblin
Mr. Bond	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Little	

11

The bill from the Assembly entitled, "An act to incorporate the city of Oswego," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cornwell	Mr. W. Hall	

23

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to extend to the city and county of New-York the provisions of the general act in relation to common schools,' passed April 11, 1842," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Bush	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams

18

The bill from the Assembly entitled, "An act to authorise Archibald Bennie, an alien, to hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bond	Mr. S. H. P. Hall	Mr. Tamblin

Mr. Bush  
Mr. Clark  
Mr. Cook

Mr. W. Hall  
Mr. Hawley

Mr. Whallon  
Mr. Williams

22

The bill from the Assembly entitled, "An act to authorise the surrogate of the county of New-York to record and deliver to the person or persons who propounded the same for probate, a certain instrument in writing, purporting to be the last will and testament of Isaac Lawrence deceased," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Bush  
Mr. Coffin

Mr. Cole  
Mr. Cook  
Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Geddes

Mr. Hawley  
Mr. Johnson  
Mr. Martin  
Mr. Smith  
Mr. Whallon  
Mr. Williams

20

*Ordered,* That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," and Mr. Cornwell, from said committee, reported progress, and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the formation of railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee to which the bill with a similar title has been referred.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the first school district in the city of Troy," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Maspeth avenue and toll bridge company to charge toll on foot passengers in certain cases," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the expenses incurred in excavating the Albany basin," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

The Senate took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," and Mr. Cornwell, from said committee, reported said bill with amendments, which was laid on the table.

The President put the question upon ordering the bill entitled, "An act for the relief of George W. Murray," to a third reading, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Geddes
Mr. Ayrault	Mr. Cook	Mr. W. Hall
Mr. Betts	Mr. Cornwell	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Williams
Mr. Bush	Mr. Fuller	

17

FOR THE NEGATIVE.

Mr. Clark	Mr. S. H. P. Hall	Mr. Smith
Mr. Cole	Mr. Martin	Mr. Whallon
Mr. Frost		

7

The Senate then spent some time in committee of the whole upon the bill entitled, "An act in relation to the Clinton State prison," and Mr. W. Hall, from said committee, reported in favor of the passage of the same, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to amend the charter of the village of Springville," and Mr. Frost, from said committee, reported in favor of the passage of the same, which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cornwell	Mr. Hawley
Mr. Bokee	Mr. Fox	Mr. Lawrence

Mr. Bond	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Smith	
Mr. Coffin	Mr. Geddes	Mr. Whallon	18

## FOR THE NEGATIVE.

Mr. Clark	Mr. Cook	2
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the more effectual protection of the property of married women," and Mr. Lawrence, from said committee, reported said bill with amendments.

Thereupon,

*Ordered*, That said bill be referred to a select committee, consisting of Mr. Fine, Mr. Geddes and Mr. Hawley, to consider and report complete.

The Senate then adjourned until ten o'clock to-morrow morning.

## TUESDAY, 10 O'CLOCK, A. M., MARCH 21, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Clapp.

The journal of yesterday was read and approved.

Mr. Bokee presented the petition of the board of supervisors of the county of Kings, for the passage of "An act for the election of a local officer in said county to discharge the duties of county judge and surrogate," which was referred to the committee of the whole when upon the bill on that subject.

Mr. Coffin presented the petition of John Harrison Kirby, an alien, for the passage of a law to enable him to hold and convey real estate, which was referred to the committee on the judiciary.

By unanimous consent,

Mr. Coffin introduced the bill entitled, "An act to grant to John Harrison Kirby the right to hold and convey real estate," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

Mr. Hawley presented the memorial of James Hay in favor of the passage of the bill for the abolition of capital punishment, which was referred to the select committee having said bill in charge.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to consolidate and amend the several acts relating to the village of Rome," and with the title thereof altered so as to read as follows: "An act to amend the charter of the village of Rome," which was committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the first school district in the city of Troy," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported the bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," which was recommitted to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act in relation to the Clinton State Prison," also

"An act for the relief of George W. Murray."

Mr. Smith, from the committee on roads and bridges, reported for the consideration of the Senate the bill from the Assembly entitled, "An act to authorise the Maspeth avenue and toll bridge company to charge toll on foot passengers in certain cases," which was committed to the committee of the whole.

Mr. Fox, from the committee on medical societies and colleges, reported in favor of the passage of a bill from the Assembly entitled, "An act making appropriations to the dispensaries in the city of New-York," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported the bill entitled, "An act to repeal an act entitled, 'An act to annex a part of the town of Shawangunk to the town of Plattekill in the county of Ulster,'" which was referred to a select committee consisting of Mr. Treadwell, Mr. Tamblin and Mr. S. H. P. Hall.

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of Merial Dempsey," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 157.)

Mr. Hawley, from the select committee, reported adversely to the petition of James Hay and others relative to the claim to the lands

escheated to the State on the death of John G. Leake, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Cornwell, from the select committee appointed to investigate into the affairs of the Sing Sing State Prison, made a written report, which was laid on the table.

(See Senate Doc. No. 51.)

Mr. Johnson, from the select committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the formation of railroad corporations," which, by unanimous consent, was ordered to a third reading.

On motion of Mr. Johnson,

*Ordered*, That the select committee be discharged from the further consideration of the bill entitled, "An act for the formation of railroad corporations," and that the same be laid on the table.

Mr. Geddes, from the select committee, reported complete, with amendments, the bill entitled, "An act for the more effectual protection of the property of married women," which report was laid on the table.

Mr. Coffin, from the select committee, reported in favor of the passage of the bill entitled, "An act to abolish capital punishment," which was committed to the committee of the whole.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of twenty-one several bills from the Assembly with the following titles, to wit:

"An act to change the name of Mary B. Primett to Maria Rebecca Brock;" also

"An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the road of said company a public highway;" also

"An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict;" also

"An act authorising the city of Albany to raise money by tax and regulating the expenditures thereof;" also

"An act to amend, 'An act to levy a tax upon the towns of Moriah and Elizabethtown and to complete a certain road therein,' passed October 26, 1847;" also

"An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State;" also

"An act to authorise the formation of the Niagara Falls House Company;" also

"An act to change the name of Johan Hinnerich August Von Rethwisch to that of John Washington;" also

"An act to authorise Margaret Kennedy to take, hold and convey real estate;" also

"An act to amend the act entitled, 'An act to authorise Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846;" also

"An act to annex a part of the town of Hunter to the town of Lexington;" also

"An act to provide for the election of county treasurers and fix their term of office;" also

"An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians;" also

"An act requiring the district attorney of Monroe county and certain other officers to report and account to the treasurer of said county;" also

"An act in relation to the compensation of the treasurer of the county of Monroe;" also

"An act to authorise the payment of the claim of Horace A. Beach for canal damages;" also

"An act to annex a part of the town of Jasper to the town of Greenwood;" also

"An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens;" also

"An act to provide for a free school in district No. 4 in the town of Newtown in the county of Queens;" also

"An act to authorise the board of education in the city of New-York to establish evening schools for the education of apprentices and others;" also

"An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same;" also ten several bills with the following titles, to wit:

"An act for the relief of the grantees of the estate of Johanna Holthuysen, late of the city of New-York, deceased;"

"An act in relation to public schools in the city of Syracuse," also

"An act for the relief of the trustees of school district No. 10 in the town of Chatham;" also

"An act in relation to school district No. 12 in the town of Milton in the county of Saratoga;" also

"An act to authorise the supervisors of Monroe county to provide an office for the surrogate, and for the appointment and payment of a surrogate's clerk in said county;" also

"An act to incorporate the clover street seminary;" also

"An act in relation to the Commissary General;" also

"An act to amend the Revised Statutes relative to obtaining possession of lands by summary proceedings;" also

"An act to amend an act entitled, 'An act in relation to the foreclosure of mortgages,' passed May 7, 1844;" also

"An act to repeal the act passed December 15, 1847, entitled 'An act to amend an act entitled, 'An act concerning passengers in ves-

sels coming to the city of New-York,' passed May 5, 1847,' " and referring the same to select committees, to consider and report complete.

Thereupon,

*Ordered*, That the bill from the Assembly entitled, "An act to change the name of Mary B. Primett to Maria Rebecca Brock," be referred to a select committee consisting of Messrs. Smith, Treadwell and Bond, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the turnpike road of said company a public highway," be referred to a select committee consisting of Messrs. Fox, Betts and Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict," be referred to a select committee consisting of Messrs. Martin, Frost and Floyd, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act authorising the city of Albany to raise money by tax and regulating the expenditures thereof," be referred to a select committee consisting of Messrs. Treadwell, Tamblin and Bush, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," be referred to a select committee consisting of Messrs. Fuller, Smith and Williams, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend 'An act to levy a tax upon the towns of Moriah and Elizabethtown, and to complete a certain road therein,' passed October 26, 1847," be referred to a select committee consisting of Messrs. Bush, Betts and Fox, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," be referred to a select committee consisting of Messrs. Boker, S. H. P. Hall and Adams, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the board of education of the city of New-York to establish evening schools for the education of apprentices and others," be referred to a select committee consisting of Messrs. Frost, Burch and Bush, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens," be referred to a select committee consisting of Messrs. Williams, Tamblin and W. Hall, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for a free school in district No. 4 in the town of Newtown in the county of Queens," be referred to a select committee consisting of Messrs. Floyd, Ayrault and Clark, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to annex a part of the town of Jasper to the town of Greenwood," be referred to a select committee consisting of Messrs. Hawley, Little and Treadwell, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the payment of the claim of Horace A. Beach for canal damages," be referred to a select committee consisting of Messrs. Martin, Smith and Ayrault, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the compensation of the treasurer of the county of Monroe," be referred to a select committee consisting of Messrs. Fuller, Betts and Burch, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act requiring the district attorney of Monroe county and certain other officers to report and account to the treasurer of said county," be referred to a select committee consisting of Messrs. Williams, Whallon and Bond, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians," be referred to a select committee consisting of Messrs. Johnson, Tamblin and Fox, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for the election of county treasurers and to fix their term of office," be referred to a select committee consisting of Messrs. Williams, Cole and Bush, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to annex part of the town of Hunter to the town of Lexington," be referred to a select committee consisting of Messrs. Williams, Cornwell and S. H. P. Hall, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to authorise Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846," be referred to a select committee consisting of Messrs. Cornwell, Cook and Whallon, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise Margaret Kennedy to take, hold and convey real estate," be referred to a select committee consisting of Messrs. Clark, Frost and Geddes, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to change the name of Johan Hinnerich August Von Rethwisch to that of John Washington," be referred to a select committee consisting of Messrs. S. H. P. Hall, Floyd and Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the formation of the Niagara Falls House Company," be referred to a select committee consisting of Messrs. Lawrence, Cole and Tamblin, to consider and report complete.

*Ordered*, That the bill entitled, "An act to repeal the act passed December 15, 1847, entitled 'An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847,'" be referred to a select committee consisting of Messrs. Cook, Smith and Cole, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of the trustees of school district No. 10 in the town of Chatham," be referred to a select committee consisting of Messrs. Coffin, Burch and Clark, to consider and report complete.

*Ordered*, That the bill entitled, "An act in relation to school district No. 12 in the town of Milton in the county of Saratoga," be referred to a select committee consisting of Messrs. Cook, W. Hall and Little, to consider and report complete.

*Ordered*, That the bill entitled, "An act to authorise the supervisors of Monroe county to provide an office for the surrogate and for the appointment of a surrogate's clerk in said county," be referred to a select committee consisting of Messrs. Clark, Adams and Burch, to consider and report complete.

*Ordered*, That the bill entitled, "An act to incorporate the Clover Street Seminary," be referred to a select committee consisting of Messrs. Fuller, Smith and Williams, to consider and report complete.

*Ordered*, That the bill entitled, "An act in relation to the Commissary General," be referred to a select committee consisting of Messrs. W. Hall, Tamblin and Boker, to consider and report complete.

*Ordered*, That the bill entitled, "An act to amend the Revised Statutes relative to obtaining possession of lands by summary proceedings," be referred to a select committee consisting of Messrs. Cole, Smith and Johnson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to amend an act entitled, 'An act in relation to the foreclosure of mortgages,' passed May 7, 1844," be referred to a select committee consisting of Messrs. Lawrence, Hawley and Fox, to consider and report complete.

*Ordered*, That the bill entitled, "An act in relation to public schools in the city of Syracuse," be referred to a select committee consisting of Messrs. Bond, Betts and Ayrault, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of the grantees of the estate of Johanna Holthuysen late of the city of New-York, deceased," be referred to a select committee consisting of Messrs. Johnson, Fine and Coffin, to consider and report complete.

Mr. Cole, from the select committee, reported complete the bill from the Assembly entitled, "An act to punish seduction as a crime,"

which report was agreed to by the Senate, and said bill ordered to third reading.

By unanimous consent,

Mr. Hawley introduced a bill entitled, "An act to establish schools throughout the State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

By unanimous consent,

Mr. Bokee introduced a bill entitled, "An act in relation to the appointment of commissioners of deeds in and for the several cities of this State, except the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Hawley asked for and obtained leave to introduce a bill entitled, "An act to provide for the election of loan commissioners by the people," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

On motion of Mr. Bush,

*Ordered,* That the committee on commerce and navigation be discharged from the further consideration of the petition for the incorporation of the Black river navigation company, and that the same be referred to the committee on canals.

The bill entitled, "An act in relation to the Clinton State Prison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Fox	Mr. Little	
Mr. Burch	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Tamblin	
Mr. Cole	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Cook	Mr. W. Hall	Mr. Whallon	
Mr. Cornwell	Mr. Johnson	Mr. Williams	21

FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd	Mr. Smith	3
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The bill entitled, "An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Frost	Mr. Tamblin
Mr. Coffin	Mr. Fuller	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Cornwell		

22

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the formation of railroad corporations," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Geddes
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark		

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## FOR THE NEGATIVE.

Mr. Coffin	Mr. Smith	Mr. Williams
Mr. Floyd		

4

The bill from the Assembly entitled, "An act to punish seduction as a crime," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cook	Mr. Lawrence	Mr. Williams
Mr. Cornwell	Mr. Little	

23

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then, pursuant to order, spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act to incorporate the United States Mail Steamship Company ;" also

"An act to authorise the formation of corporations for the purpose of steam navigation on the Atlantic ocean," and Mr. W. Hall, from said committee, reported progress on said bills severally, and obtained leave to sit again.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the canal department," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy and the appointment of a marshal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act to erect the town of Ashland from Windham and Prattsville," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

The Senate then took a recess until 4 o'clock P. M.

♦

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act to incorporate the United States Mail Steamship Company," also

"An act to authorise the formation of corporations for the purpose of steam navigation on the Atlantic ocean," and Mr. W. Hall, from said committee, reported in favor of the passage of said first mentioned bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. W. Hall, from said committee, also reported progress on said last mentioned bill, and obtained leave to sit again.

By unanimous consent,

Mr. Lawrence presented the remonstrance of the chamber of commerce of the city of New-York against the repeal of the act passed December 15, 1847, entitled "An act to amend an act enti-

tioned, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847," which was referred to the select committee having said bill in charge.

By unanimous consent,

Mr. Cornwell, from the select committee appointed to investigate into the affairs of the Sing Sing State Prison, reported a bill entitled, "An act to regulate the location of the Hudson river railroad through the lands of the State at Sing Sing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the further protection of personal liberty," and Mr. Whallon, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then proceeded to the consideration of the report of the committee of the whole upon the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," made yesterday.

Without taking any question thereon,

The Senate then adjourned until ten o'clock to-morrow morning.

## WEDNESDAY, 10 O'CLOCK, A. M., MARCH 22, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The journal of yesterday was read and approved.

Mr. Johnson presented the petition of chiefs of the Cayuga nation residing in the Province of Upper Canada for a portion of the annuities due from the State, which was referred to the select committee having the bill on that subject in charge.

Mr. Cole presented the petition of Alexander Bullions to have moneys in the hands of the commissioners of the estate of the late Margaret McLeland, a lunatic, which has escheated to the State, released to the Cambridge Washington Academy, which was referred to the committee on the judiciary.

Mr. Burch presented the petition to amend the act to lay out a road from Palatine bridge to lands belonging to the State in Fulton county, which was referred to the committee on roads and bridges.

Mr. Burch also presented two several remonstrances of citizens of this State against the passage of said bill, which was referred to the same committee.

Mr. Whallon presented the petition of 51 citizens of Warren co., for the purchase of a toll bridge over the North river at Luzerne, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Bush presented the petition of citizens of Erie county praying for the passage of a law to exempt officers of school districts from vexatious prosecutions, which was referred to the committee on literature.

Mr. Cook presented the petition of inhabitants of Saratoga county to purchase the toll bridge at Little Falls between the towns of Hadley and Luzerne, which was referred to the committee of the whole when upon the bill on that subject.

The President presented the remonstrance of the Irish emigrant society and others against a repeal of the act passed December 15, 1847, entitled "An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847," which was referred to the select committee having said bill in charge.

Mr. Whallon presented three several remonstrances of inhabitants of Essex and Clinton counties against bridging Lake Champlain at Rouse's Point, which were laid on the table.

Mr. Fine presented two several petitions of inhabitants of the State of Vermont in favor of bridging said lake at Rouse's Point, which were laid on the table.

Mr. Fox, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the town of Ashland from Windham and Prattsville," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the election of the justices and clerk of the justice's court in and for the city of Troy, and the appointment of a marshal,'" which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of two several bills from the Assembly, with the following titles, to wit:

"An act to grant to John Harrison Kirby the right to hold and convey real estate;" also

"An act to build a county jail in the village or city of Oswego, as the case may be," which were committed to the committee of the whole.

Mr. Geddes, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable the town of Day to raise money to erect a bridge," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on state prisons, reported a bill entitled, "An act in relation to the transportation of convicts to the State prisons and houses of refuge," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Mr. Cook, from the committee on claims, reported in favor of the passage of the bill entitled, "An act for the relief of Holloway Long," which was committed to the committee of the whole.

*(See Senate Bill No. 159.)*

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the canal department," which was laid on the table.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to-wit:

"An act to incorporate the United States Mail Steamship Company;" also

"An act for the further protection of personal liberty."

Mr. Bush, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to amend 'An act to levy a tax upon the towns of Moriah and Elizabethtown, and to complete a certain road therein,' passed October 26, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bokee, from the select committee, reported complete, with amendments, the bill entitled, "An act to provide for the incorporation of insurance companies," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Ayrault, from the select committee, reported adversely to the passage of the bill from the Assembly entitled, "An act in relation to the sale of lands in the Canadian and Nova Scotia Refugee Tract in the town of Plattsburg," which report was laid on the table.

Mr. Martin, from the select committee, reported complete the bill from the Assembly entitled, "An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Smith, from the select committee, reported complete the bill from the Assembly entitled, "An act to change the name of Mary B. Primett to Maria Rebecca Brock," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Martin, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the payment of the claim of Horace A. Beach for canal damages," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Smith, from the select committee, reported complete the bill from the Assembly entitled, "An act for the payment of damages

sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete the bill from the Assembly entitled, "An act requiring the district attorney of Monroe county and certain other officers to report and account to the treasurer of said county," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act to incorporate the Clover Street Seminary," which report agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the election of county treasurers and to fix their term of office," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fox, from the select committee, reported complete the bill from the Assembly entitled, "An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the turnpike road of said company a public highway," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the compensation of the treasurer of the county of Monroe," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Clark, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise Margaret Kennedy to take, hold and convey real estate," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act to annex part of the town of Hunter to the town of Lexington," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Frost, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the board of education of the city of New-York to establish evening schools for the education of apprentices and others," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Hawley, from the select committee, reported complete the bill from the Assembly entitled, "An act to annex a part of the town of Jasper to the town of Greenwood," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the formation of the Niagara Falls House Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act to change the name of Johan Hinnerich August Von Rethwisch to that of John Wash-

ington," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bokee, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. W. Hall, from the select committee, reported complete the bill entitled "An act in relation to the Commissary General," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act for the relief of the trustees of school district No. 10 in the town of Chatham," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cook, from the select committee, reported complete the bill entitled, "An act in relation to school district No. 12 in the town of Milton in the county of Saratoga," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act to authorise the supervisors of Monroe county to provide an office for the surrogate and for the appointment of a surrogate's clerk in said county," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Johnson, from the select committee, reported complete the bill entitled, "An act for the relief of the grantees of the estate of Johanna Hopthuysen late of the city of New-York, deceased," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete the bill entitled, "An act to cede certain lands to the village or city of Oswego, as the case may be," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Little introduced a bill entitled, "An act to authorise the appointment of a deputy and employment of clerks in the State Engineer and Surveyor General's office," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

The Senate then proceeded to the consideration of the motion heretofore made by Mr. Clark to reconsider the vote taken upon concurring with the Assembly in their amendments to the bill entitled, "An act to incorporate the Utica Waterworks company."

The amendments of the Assembly to said bill were then non-concurred in.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in their amendments thereto.

On motion of Mr. Cornwell,

*Ordered*, That the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route," also the bill entitled, "An act so incorporate the Albany and Cohoes Railroad Company," be made the special order for the 23d inst.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to revive "An act to incorporate the Chenango Junction Canal Company," passed May 12, 1846."

On motion of Mr. Tamblin,

*Ordered*, That the bill entitled, "An act to incorporate the Sacketts Harbor and Saratoga Railroad Company," be referred to a select committee to make the same conform to the provisions of the general law for the incorporation of railroad corporations, and report the same complete.

Thereupon,

*Ordered*, That Messrs. Tamblin, Cook and Bush, be said select committee.

On motion of Mr. Burch,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to repeal 'An act to appoint commissioners to lay out a road from Palatine bridge in Montgomery county through Palatine, Ephratah, Pleasant Valley and Garoga, to lands belonging to the State in the county of Fulton,' passed December 10, 1847," and the petitions relating thereto, and that the same be recommitted to the committee on roads and bridges.

On motion of Mr. Cornwell,

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

The Assembly returned the bill entitled, "An act in relation to the Washington Park in the city of Brooklyn," with a message informing that they had passed the same with the amendments therewith delivered, which was laid on the table.

The report of the Commissioners of the Land Office in answer to a resolution of the Senate of the 13th inst respecting the New-York State arsenal was received, and laid on the table.

(See Senate Doc. No. 54.)

A motion to print an extra number of copies of said report, was referred to the committee on public printing.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the Madison University," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, 'An act in relation to the justices' and police courts in the city of

New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to annex a part of the town of Bristol and South Bristol to the town of Richmond," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

The President put the question upon concurring with the Assembly in their amendments to the bill entitled, "An act in relation to Washington Park in the city of Brooklyn," which was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Frost	Mr. Smith
Mr. Clark	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Coffin	Mr. W. Hall	Mr. Treadwell
Mr. Cole	Mr. Hawley	Mr. Whallon
Mr. Cook	Mr. Johnson	Mr. Williams

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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

Then the Senate adjourned until ten o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 23, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Kipp.

The journal of yesterday was read and approved.

Mr. Adams presented the petition of 200 inhabitants of the town of Durham, Greene county, for the passage of a law prohibiting traffic in spirituous liquors, which was referred to the committee on the judiciary.

Mr. Lawrence presented the memorial of the mayor, aldermen and commonalty of the city of New-York for the passage of a law to authorise them to raise money by tax, which was referred to the committee on finance.

Mr. Treadwell presented two several petitions of inhabitants of Albany county for the passage of a law authorising the Attorney General to prosecute for the recovery of manorial lands, which was laid on the table.

Mr. Whallon presented two several remonstrances of Essex and Clinton counties, against bridging Lake Champlain at Rouse's Point, which were laid on the table.

Mr. Fine presented five several petitions in favor of bridging said lake, which were laid on the table.

Mr. Fox, from the committee on medical societies and colleges, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act for the preservation of the public health," which was committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the Madison University," which was committed to the committee of the whole.

Mr. Williams, from the committee on the division of towns and counties, reported the bill from the Assembly entitled, "An act to annex a part of the towns of Bristol and South Bristol to the town of Richmond," which, by unanimous consent, was ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams 21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Frost presented the remonstrance of citizens of the city of New-York against the passage of the bill in relation to the construction to be put upon the 175th section of the act of April 9, 1813, which was referred to the committee on the judiciary.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act in relation to the transportation of convicts to the State prisons and houses of refuge."

Mr. Treadwell, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act authorising the city of Albany to raise money by tax and regulating the expenditures thereof," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete, with amendments, the bill entitled, "An act in relation to public schools in the city of Syracuse," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cook, from the select committee, reported complete the bill entitled, "An act incorporating the Sackets Harbor and Saratoga Railroad Company," which report was agreed to by the Senate, and the question upon ordering said bill to a third reading laid on the table.

Mr. Martin, from the committee on canals, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Black River Steamboat Company," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 167.)

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of five several bills from the Assembly, with the following titles, to wit:

"An act to erect the town of Ashland from Windham and Prattsville;" also

"An act to amend an act entitled, 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal;" also

"An act in relation to the courts of record in Oswego county;" also

"An act for the settlement and payment of the expenses of James H. Sherrill, incurred in defending himself from certain charges preferred before a select committee of the Senate;" also

"An act for the preservation of game in the counties of Orange and Greene," and referring the same to select committees, to consider and report complete.

Thereupon,

*Ordered*, That the bill entitled, "An act for the preservation of game in the counties of Orange and Greene," be referred to a select committee consisting of Messrs. Wilkin, Adams and Bokee, to consider and report complete.

*Ordered*, That the bill entitled, "An act in relation to courts of record in Oswego county," be referred to a select committee consisting of Messrs. Bond, Fine and Martin, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to erect the town of Ashland from Windham and Prattsville," be referred to a select committee consisting of Messrs. Coffin, Smith and Treadwell, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal,'" be referred to a select committee consisting of Messrs. Fox, Betts and W. Hall, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the settlement and payment of the expenses of James H. Sherrill, incurred in defending himself from certain charges preferred before a select committee appointed by the Senate," be referred to a select committee consisting of Messrs. Coffin, Floyd and Cook, to consider and report complete.

Mr. Fox, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the election of the justices and the clerk of the justices' court in and for the city of Troy, and the appointment of a marshal.'"

Mr. Coffin, from the select committee, reported complete the bill from the Assembly entitled, "An act to erect the town of Ashland from Windham and Prattsville," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the foreclosure of mortgages,' passed May 7, 1844," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Johnson, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to authorise Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Floyd, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for a free school in district No. 4 in the town of Newtown in the county of Queens," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee on the subject of the State Normal School, reported in writing, and asked for and obtained leave to bring in a bill entitled, "An act for the permanent establishment of the Normal School," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Doc. No. 49, and Senate Bill No. 163.)*

A motion to print ten times the usual number of copies of said report was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

A communication was received from the State Engineer and Surveyor, which was referred to the committee on canals.

*(See Senate Doc. No. 63.)*

The report of the trustees of Union College for the year ending July, 1847, was received, and laid on the table.

A message was received from the Governor, informing that he had approved and signed the bill entitled, "An act to provide for the appointment of a person to discharge the duties of the office of clerk of the county of Orleans."

By unanimous consent,

Mr. Williams introduced a bill entitled, "An act to replenish the Safety Fund," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Leave of absence was granted to Mr. Geddes for three days.

On motion of Mr. Bush,

*Ordered,* That the bill entitled, "An act for the formation of banks," be made the special order for to-morrow.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed seven several bills with the following titles, to wit :

"An act to authorise the supervisors of Monroe county to provide an office for the surrogate, and for the appointment and payment of a surrogate's clerk in said county;" also

"An act in relation to the Commissary General;" also

"An act to incorporate the clover street seminary;" also

"An act in relation to school district No. 12 in the town of Milton in the county of Saratoga;" also

"An act for the relief of the trustees of school district No. 10 in the town of Chatham;" also

"An act for the relief of the grantees of the estate of Johanna Hokhuyana, late of the city of New-York, deceased;" also

"An act to cede certain lands to the village or city of Oswego, as the case may be."

Mr. W. Hall, from the committee on public printing, reported in favor of printing five times the usual number of the report of the Commissioners of the Land Office in answer to a resolution of the Senate of the 13th inst., respecting the New-York State Arsenal, which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof.

On motion of Mr. Fuller,

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the canal department," be referred to a select committee of five to consider and report complete.

*Ordered*, That Messrs. Fuller, Tamblin, Lawrence, Bush and Whallon, be said committee.

Mr. Whallon moved to refer the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," to a select committee, which motion was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Bette	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Williams

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FOR THE NEGATIVE.

Mr. Bond	Mr. Cornwall	Mr. S. H. P. Hall
Mr. Bush	Mr. Fine	Mr. Lawrence
Mr. Coffin	Mr. Frost	Mr. Treadwell
Mr. Cole	Mr. Fuller	Mr. Wilkin

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*Ordered*, That Messrs. Lawrence, Bond, Coffin, Floyd and Hawley, be said committee.

On motion of Mr. Johnson,

*Resolved*, That it be referred to the Canal Board to investigate and report to the Senate the outlay that would be required so to improve Black Rock harbor as to render it navigable for vessels drawing ten feet water, and to make it available for the purpose of transshipment of articles of lake and canal transport; also the outlay that would be required for the completion of the Buffalo harbor improvements recommended by the joint committee, made to the House of Assembly on the 21st inst., together with the opinion of the Board on the comparative value of the two outlays in obviating the difficulties now existing at or near the western terminus of the Erie canal, relieving the crowded state of Buffalo harbor, and promoting the transit of produce.

The bill entitled, "An act to provide for the incorporation of insurance companies," coming up for a third reading,

By unanimous consent,

Mr. Hawley moved to strike out the 19th section of said bill, and insert in lieu thereof the following:

"The stockholders of every corporation formed under this act shall be severally individually liable for all the debts and liabilities of the corporation, in proportion to the amount of stock owned by them respectively;"

Which motion was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Hawley	Mr. Whallon	
Mr. Floyd	Mr. Smith		5

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Johnson	
Mr. Bokee	Mr. Cook	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Little	
Mr. Burch	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. W. Hall	Mr. Wilkin	18

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence	
Mr. Ayrault	Mr. Cook	Mr. Little	
Mr. Betts	Mr. Fine	Mr. Martin	
Mr. Bokee	Mr. Fox	Mr. Treadwell	
Mr. Bond	Mr. Fuller	Mr. Whallon	
Mr. Bush	Mr. W. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Johnson		20

FOR THE NEGATIVE.

Mr. Floyd	Mr. Hawley	Mr. Smith
Mr. S. H. P. Hall		

4

The bill entitled, "An act to incorporate the United States Mail Steamship Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	

23

FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	Mr. Tamblin
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3

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to pay Amos W. Muzzy a sum of money for expenses in retaking an escaped convict," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Ayrault	Mr. Floyd	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	

23

FOR THE NEGATIVE.

Mr. Smith

1

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the election of the justices and clerk of the justices' court in and for the city of Troy, and the appointment of a marshal," was read the third time and passed, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. W. Hall
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Clark	Mr. Frost	Mr. Treadwell
Mr. Coffin	Mr. Fuller	Mr. Wilkin
Mr. Cole	Mr. S. H. P. Hall	

23

The bill from the Assembly entitled, "An act to erect the town of Ashland from Windham and Prattsville," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Cornwell	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	

24

The bill from the Assembly entitled, "An act to authorize the formation of the Niagara Falls House Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Little
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Wilkin
Mr. Cook		

25

*Ordered*, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act authorising the city of Albany to raise money by tax and regulating the expenditure thereof," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Frost	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Coffin	Mr. Johnson	

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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

Then the Senate took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

The bill entitled; "An act to amend an act entitled, 'An act in relation to the foreclosure of mortgages,' passed May 7, 1844," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	

23

The bill entitled, "An act to cede certain lands to the village or city of Oswego, as the case may be," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	

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The bill entitled, "An act for the relief of the trustees of school district No. 10 in the town of Chatham," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Frost	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	

23

The bill entitled, "An act in relation to school district No. 12 in the towns of Milton and Ballston in the county of Saratoga," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin

Mr. Bond	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. Hawley	Mr. Whallon	24

The bill entitled, "An act for the relief of the grantees of the estate of Johanna Holthuysen late of the city of New-York, deceased," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson	
Mr. Ayrault	Mr. Cook	Mr. Lawrence	
Mr. Betts	Mr. Cornwell	Mr. Little	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Coffin	Mr. Hawley		25

The bill entitled, "An act in relation to the transportation of convicts to the State prisons and houses of refuge," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Martin	
Mr. Betts	Mr. Fine	Mr. Smith	
Mr. Bokee	Mr. Fox	Mr. Tamblin	
Mr. Bond	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cole	Mr. Johnson	Mr. Wilkin	
Mr. Cook	Mr. Little		20

The bill entitled, "An act to incorporate the Clover Street Seminary," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Fuller	
Mr. Betts	Mr. Cook	Mr. Hawley	
Mr. Bokee	Mr. Cornwell	Mr. Johnson	
Mr. Burch	Mr. Fine	Mr. Lawrence	

Mr. Bush	Mr. Floyd	Mr. Martin	
Mr. Clark	Mr. Fox	Mr. Treadwell	
Mr. Coffin	Mr. Frost	Mr. Whallon	21

The bill entitled, "An act in relation to the Commissary General," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Betts	Mr. Cook	Mr. Johnson	
Mr. Bokee	Mr. Cornwell	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Martin	
Mr. Burch	Mr. Floyd	Mr. Smith	
Mr. Bush	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. Fuller	Mr. Whallon	
Mr. Coffin	Mr. S. H. P. Hall		23

The bill entitled, "An act to authorise the supervisors of Monroe county to provide an office for the surrogate and for the appointment of a surrogate's clerk in said county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson	
Mr. Betts	Mr. Cornwell	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Little	
Mr. Bond	Mr. Floyd	Mr. Martin	
Mr. Burch	Mr. Frost	Mr. Smith	
Mr. Bush	Mr. Fuller	Mr. Tamblin	
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Coffin	Mr. Hawley	Mr. Whallon	
Mr. Cole			25

Ordered, That the Clerk deliver the last nine mentioned bills to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Tamblin introduced a bill entitled, "An act in relation to the court of sessions of the county of Jefferson," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Afterwards,

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of said bill, which, by unanimous consent, was ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend an act entitled, 'An act in relation to the foreclosure of mortgages,' passed May 7, 1844."

The Assembly returned the bill entitled, "An act in relation to Washington Park in the city of Brooklyn."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to incorporate the city of Oswego," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The bill entitled, "An act for the relief of George W. Murray," was read the third time and lost, two-thirds of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Burch	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Frost	Mr. Treadwell
Mr. Coffin	Mr. Fuller	Mr. Whallon
		21

FOR THE NEGATIVE.

Mr. Clark	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Cole	Mr. Martin	
		5

By unanimous consent,

The vote just taken on the final passage of said bill was reconsidered, and said bill laid on the table.

The bill from the Assembly entitled, "An act to change the name of Mary B. Primett to Maria Rebecca Brock," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith

Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Johnson	Mr. Wilkin
Mr. Cook	Mr. Lawrence	

23

The bill from the Assembly entitled, "An act to authorise Margaret Kennedy to take, hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Wilkin

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The bill from the Assembly entitled, "An act to authorise the payment of the claim of Horace A. Beach for canal damages," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin

21

## FOR THE NEGATIVE.

Mr. Smith

1

The bill from the Assembly entitled, "An act to provide for the distribution of the annuities due from the State of New-York to the Cayuga Indians," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin		

25

The bill from the Assembly entitled, "An act to repeal the act entitled, 'An act to incorporate the Stephentown and Nassau Turnpike Company,' passed April 14, 1827, and to make the road of said company a public highway," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Whallon

24

The bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Hawley	Mr. Whallon

18

FOR THE NEGATIVE.

Mr. Bush

Mr. Cornwell

2

The bill from the Assembly entitled, "An act requiring the district attorney of Monroe county and certain other officers to report and account to the treasurer of said county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Burch  
Mr. Bush

Mr. Coffin  
Mr. Cole  
Mr. Cook  
Mr. Cornwell  
Mr. Fox  
Mr. Fuller  
Mr. Hawley

Mr. Johnson  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon

21

The bill from the Assembly entitled, "An act in relation to the compensation of the treasurer of the county of Monroe," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokees  
Mr. Bond  
Mr Burch  
Mr. Bush  
Mr. Coffin

Mr. Cole  
Mr. Cook  
Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. S. H. P. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallen

24

The bill from the Assembly entitled, "An act to authorise the board of education in the city of New-York to establish evening schools for the education of apprentices and others," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Bokee

Mr. Cole  
Mr. Fine  
Mr. Floyd

Mr. Johnson  
Mr. Lawrence  
Mr. Little

Mr. Burch	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Frost	Mr. Smith	
Mr. Clark	Mr. Fuller	Mr. Treadwell	
Mr. Coffin	Mr. Hawley	Mr. Whallon	21

The bill from the Assembly entitled, "An act to amend the act entitled, 'An act to authorise Harrison Stephens to take, hold and convey real estate,' passed May 12, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Ayrault	Mr. Cook	Mr. Johnson	
Mr. Betts	Mr. Cornwell	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Frost	Mr. Treadwell	
Mr. Bush	Mr. Fuller	Mr. Whallon	
Mr. Coffin	Mr. S. H. P. Hall		23

The bill from the Assembly entitled, "An act to annex a part of the town of Hunter to the town of Lexington," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson	
Mr. Betts	Mr. Cook	Mr. Little	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Frost	Mr. Treadwell	
Mr. Clark	Mr. Fuller	Mr. Whallon	
Mr. Coffin	Mr. Hawley		23

The bill from the Assembly entitled, "An act to annex a part of the town of Jasper to the town of Greenwood," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Burch	Mr. Fox	Mr. Little
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Smith
Mr. Coffin	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cole	Mr. Hawley	Mr. Whallon

21

*Ordered*, That the Clerk return the last twelve mentioned bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend, 'An act to levy a tax upon the towns of Moriah and Elizabethtown and to complete a certain road therein,' passed October 26, 1847," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Frost	Mr. Tamblin
Mr. Clark	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Cole		

25

The bill from the Assembly entitled, "An act to provide for the election of county treasurers and fix their term of office," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Tamblin
Mr. Bush	Mr. Frost	Mr. Treadwell
Mr. Coffin	Mr. Fuller	Mr. Whallon

24

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally with the amendments therewith delivered.

The Senate then adjourned until ten o'clock to-morrow morning.

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FRIDAY, 10 O'CLOCK A. M., MARCH 24, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Benson.

The Journal of yesterday was read and approved.

The President presented a communication in the words following, to wit :

*To the Legislature of New-York :—*

WASHINGTON, 21st March, 1848.

With emotions of the deepest sensibility I have received a copy of the resolutions of the State of New-York, in honor of the memory of my lamented husband.

Could anything yield consolation for a bereavement so distressing and severe in the loss of so near a relative and friend, or mitigate its painful sensations, it is the sympathy manifested by all that is wise and good in the honored land of his birth.

For the kind interest expressed for me on an occasion so afflictive, be pleased to accept assurances of the heartfelt gratitude and profound respect of

LOUISA CATHARINE ADAMS.

Mr. Fox presented the petition of I. S. Fake and 106 other citizens of Lansingburgh, praying for a par redemption of bank notes, which was referred to the committee on banks and insurance companies.

Mr. Coffin presented the petition of sundry citizens of Poughkeepsie asking an alteration in the law for electing overseers of highways, which was referred to the committee on roads and bridges.

The President presented the remonstrance of the chamber of commerce of the city of New-York against an increase of the rates of wharriage in the city of New-York or the relinquishment of the control of the Legislature over the subject, which was referred to the committee on commerce and navigation.

Mr. Johnson, from the committee on railroads, reported a bill entitled, "An act to confirm the agreement between the New-York

and New-Haven and New-York and Harlem Railroad Companies," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Johnson, Smith and Coffin, to consider and report complete.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the Tonawanda Railroad Company," which was committed to the committee of the whole.

Mr. Smith, from the committee on roads and bridges, reported a bill entitled, "An act to amend an act entitled, 'An act in relation to the road of the Phillipstown Turnpike Company,' passed Nov. 13, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Smith, Brownson and Johnson, to consider and report complete.

Mr. Wilkin, from the committee on the judiciary, reported in writing, and asked for and obtained leave to bring in a bill entitled, "An act for the relief of the creditors of William James St. John, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 168.)*

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill entitled, "An act establishing free schools throughout the State," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act in relation to the funds and securities in the possession of the clerk of the court of appeals," which was committed to the committee of the whole, and made the special order for Tuesday next.

Mr. Cole, from the same committee, reported in favor of the passage of the bill entitled, "An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer, deceased," which was committed to the committee of the whole.

*(See Senate Bills No. 164 & 165.)*

Mr. Lawrence, from the committee on finance, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable the board of supervisors of the city and county of New-York to raise money by tax," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of the Senators from the third, fourth, fifth and sixth Senate districts, to consider and report complete.

Afterwards,

Mr. Lawrence, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Martin, from the committee on canals, reported for the consideration of the Senate, with amendments, the bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages to Packard Bruce," which was committed to the committee of the whole.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of the bill from the Assembly entitled, "An act for the benefit of the New-York Guardian Insurance Company," which was committed to the committee of the whole.

The President put the question upon ordering the bill entitled, "An act incorporating the Saratoga and Sackets Harbor Railroad Company," to a third reading, which was decided in the affirmative.

Mr. Wilkin, from the select committee, reported complete the bill entitled, "An act for the preservation of game in the counties of Orange and Greene," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act for the settlement and payment of the expenses of James H. Sherrill, incurred in defending himself from certain charges preferred before a select committee appointed by the Senate," which was laid on the table, and said bill recommitted to the committee of the whole.

Mr. Bond, from the select committee, reported complete the bill entitled, "An act in relation to the courts of record in Oswego county," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cole, from the select committee, reported complete, with amendments, the bill entitled, "An act to amend the Revised Statutes relative to obtaining possession of lands by summary proceedings," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of the bill from the Assembly entitled, "An act for the benefit of the New-York Guardian Insurance Company," and referring the same to a select committee to consider and report complete.

Thereupon,

*Ordered*, That said bill be referred to a select committee consisting of Messrs. Adams, Coffin and Treadwell, to consider and report complete.

Afterwards,

Mr. Treadwell from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens," which report was agreed to by the Senate, and said bill ordered to a third reading.

Leave of absence was granted to Mr. W. Hall for six days.

Mr. Clark moved a reconsideration of the vote taken yesterday upon the final passage of the bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," which motion was decided in the affirmative.

By unanimous consent,

Mr. Bush introduced a bill entitled, "An act for the formation of the Niagara Suspension Bridge House Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of canal damages to John King," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the New-York institution for the blind,' passed April 21, 1831, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

The Assembly returned the bill entitled, "An act to incorporate the Utica Waterworks Company," with a message informing that they do insist upon their amendments thereto, and request a committee of conference upon said amendments, and in case the Senate consent thereto, that Messrs. L. Smith, Wager and Beach, be of said committee on the part of that House.

Thereupon,

*Resolved*, That the Senate do consent to the appointment of such committee of conference, and have appointed Messrs. Clark, Fine and Cole, of such committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly.

By unanimous consent,

Mr. Lawrence introduced a bill entitled, "An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Lawrence, Floyd and Bokee, to consider and report complete.

On motion of Mr. Fuller,

*Ordered*, That the committee of the whole be discharged from

the further consideration of the bill from the Assembly entitled, "An act in relation to the Tonawanda Railroad Company," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fuller, Fox and Treadwell, be said committee.

On motion of Mr. Cornwell,

*Ordered*, That the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route," be made the special order for to-morrow at 11 o'clock A. M.

On motion of Mr. Fine,

*Ordered*, That the committee on the judiciary be discharged from the further consideration of the bill entitled, "An act to authorise the mayor, aldermen, and commonalty of the city of New-York to resell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase moneys received from former sales of such lands and tenements," together with the remonstrances against the passage of said bill, and that the same be referred to a select committee consisting of the members attending the Senate from the 3d, 4th, 5th and 6th Senate districts.

On motion of Mr. Frost,

*Resolved*, That the memorial of Cornelius Bogert, agent for Sampson Benson, presented in the Assembly Feb. 21, 1843, be transmitted to the Senate, and that the same be referred to the committee to which the application of the mayor, aldermen and commonalty of New-York for authority to resell lands for assessments is referred.

On motion of Mr. Frost,

*Ordered*, That all the memorials and remonstrances from citizens of the city of New-York, complaining of illegal assessments and assessment abuses, presented in the Senate in the years 1840, 1841, 1842, 1843, 1844, 1845, 1846 and 1847, be taken from the files and referred to the committee which has under consideration the application of the mayor, aldermen and commonalty of the city of New-York for authority to resell lands for assessments.

On motion of Mr. Bush,

*Ordered*, That the bill entitled, "An act to amend the charter of the Attica and Hornelsville Railroad Company," be made the special order for to-morrow.

The bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," coming up for a third reading,

On motion of Mr. Johnson,

*Ordered*, That said bill be recommitted to the committee on the incorporation of cities and villages.

The bill entitled, "An act for the relief of George W. Murray,"

was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Treadwell
Mr. Bond	Mr. Floyd	Mr. Whallon
Mr. Brownson	Mr. Fox	Mr. Wilkin
Mr. Burch	Mr. Frost	Mr. Williams
Mr. Bush	Mr. Hawley	
		23

**FOR THE NEGATIVE.**

Mr. Cole	Mr. Martin	Mr. Tamblin
Mr. S. H. P. Hall	Mr. Smith	
		5

The bill entitled, "An act in relation to public schools in the city of Syracuse," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Hawley	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin
Mr. Cole		
		22

**FOR THE NEGATIVE.**

Mr. Cornwell		1
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The bill entitled, "An act in relation to the court of sessions of the county of Jefferson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Clark	Mr. Frost	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. Lawrence	Mr. Wilkin
Mr. Cornwell	Mr. Little	

20

The bill entitled, "An act for the further protection of personal liberty," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Cornwell	Mr. Lawrence	

20

FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd	Mr. Smith
Mr. Fine		

4

*Ordered*, That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act for the benefit of the New-York Guardian Insurance Company in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Frost	Mr. Wilkin
Mr. Bush	Mr. Hawley	Mr. Williams
Mr. Clark	Mr. Johnson	

26

The bill from the Assembly entitled, "An act to provide for a free school in district No. 5 in the town of Newtown in the county of Queens," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Wilkin
Mr. Burch	Mr. Hawley	Mr. Williams
Mr. Coffin		

22

## FOR THE NEGATIVE.

Mr. Tamblin

1

The bill from the Assembly entitled, "An act to provide for a free school in district No. 4 in the town of Newtown in the county of Queens," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin

21

The bill from the Assembly entitled, "An act to change the name of Johan Hinnerich August Von Rethwisch to that of John Washington," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Fine	Mr. Little

Mr. Brownson	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams
Mr. Cook		

25

*Ordered*, That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again:

A bill was received from the Assembly for concurrence entitled, "An act to provide for the distribution of the moneys appropriated to promote agriculture and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence entitled, "An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act to regulate the fare on the railroads between Albany and Buffalo;" also

"An act to determine and decide the public utility of a railroad from the city of Troy to the easterly line of the county of Rensselaer," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act more effectually to provide for common school education in the city and county of New-York,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act for the construction of a bridge from State-street to the pier in the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Then the Senate took a recess until 4 o'clock P. M.

## 4 O'CLOCK P. M.

The Senate again met.

The Assembly returned three several bills with the following titles, to wit :

"An act authorising the city of Albany to raise money by tax and regulating the expenditure thereof, and for other purposes ;" also

"An act to provide for the election of county treasurers and fix their term of office ;" also

"An act to amend 'An act to levy a tax upon the towns of Moriah and Elizabethtown and to complete a certain road therein,' passed October 26, 1847," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A communication was received from the Superintendent of Common Schools in the words following, which was read and laid on the table, to wit :

SECRETARY'S OFFICE,  
DEPARTMENT OF COMMON SCHOOLS, }  
*Albany, March 24, 1848.*

To the President of the Senate :

SIR—The examination of the pupils of the Normal School will commence on Monday next, and continue for three days. The examination will commence at 9 A. M. and 3½ P. M., and the closing exercises will commence at half past three Thursday afternoon.

The officers and members of the Senate are respectfully invited to attend the exercises of the school.

By order of the executive committee,

CHRISTOPHER MORGAN,  
*Superintendent of Common Schools.*

A communication was received from the Commissioners of the Land Office, transmitting the report of the Commissary General containing an estimate of the cost of completing the State Arsenal at New-York, and an inventory of the materials and tools on hand, and a statement of the materials contracted for and not delivered, which was referred to the committee on the militia.

(See Senate Doc. No. 54.)

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H.

P. Hall, from said committee, reported progress, and obtained leave to sit again.

Then the Senate adjourned until ten o'clock to-morrow morning.

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SATURDAY, 10 O'CLOCK A. M., MARCH 25, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. Smith presented two several petitions of inhabitants of St. Lawrence county in favor of bridging lake Champlain, which was laid on the table.

Mr. Bush presented the petition of the officers of the association known as the "Sons of Erin." and other citizens of Buffalo, praying for an act of incorporation, which was referred to the committee of the whole when upon the bill for the incorporation of charitable and religious societies.

Mr. Whallon presented the remonstrance of inhabitants of school district No. 5 in Bath against a school in said district, which was referred to the committee on literature.

Mr. Whallon presented the remonstrance of citizens of Vermont against bridging lake Champlain, which was laid on the table.

Mr. Bush presented the remonstrance of citizens of Buffalo against par redemptions, which was referred to the committee on banks and insurance companies.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill entitled, "An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on lake Champlain to Boonville," which was referred to a select committee consisting of Messrs. Whallon, Ayrault and Cornwell, to consider and report complete.

Mr. Fine, from the committee on the judiciary; reported a bill entitled, "An act further to prevent betting on elections," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 173.)

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to justices and police courts in the city of New-York,"

which was referred to a select committee consisting of Messrs. Frost, Hawley and Johnson, to consider and report complete.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit :

"An act to enable the board of supervisors of the city and county of New-York to raise money by tax ;" also

"An act for the preservation of game in the counties of Orange and Greene ;" also

"An act to amend the Revised Statutes relative to obtaining possession of lands by summary proceedings ;" also

"An act in relation to courts of record in Oswego county."

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act to amend the Revised Statutes relative to the duty of assessors," which was referred to a select committee consisting of Messrs. Wilkin, Burch and Betts, to consider and report complete.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act in relation to the appointment of commissioners of deeds in and for the several cities of this State except the city of New-York," which was referred to a select committee consisting of Messrs. Johnson, Smith and Frost, to consider and report complete.

Mr. Clark, from the committee on manufactures, reported in favor of the passage of the bill entitled, "An act for the formation of the Niagara Suspension Bridge House Company," which was committed to the committee of the whole.

*(See Senate Bill No. 174.)*

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the New-York institution for the blind,' passed April 21, 1831, and for other purposes," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary reported adversely to the petitions for an amendment of the usury laws ; also

To the petition of sundry citizens of the town of Plainfield, Otsego county, praying that witnesses in cases of criminal proceedings may be paid for attendance ; also

To the petition of citizens of Scipio, Cayuga county, for the passage of a law to remunerate Andrew Jackson for loss of time under an unjust sentence for crime of which he was not guilty ; also

To the petition of Albert Ford and others for the passage of a law to remunerate trustees and clerks of school districts for their services ; also

To the petition of the Syracuse and Utica railroad company for the repeal of the law passed Dec. 13, 1847, entitled, "An act requiring compensation for causing death by wrongful act, neglect or default;" also

To the petition of the county judge, surrogate, sheriff and members of the bar of Jefferson county, praying for the passage of a law authorising the appointment of criers of courts of record, which reports were severally agreed to by the Senate.

Thereupon,

*Resolved*, That the prayers of said several petitioners be denied.

Mr. Bond, from the committee on literature, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act more effectually to provide for common school education in the city and county of New-York,' passed May 7, 1844," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," which was committed to the committee of the whole.

Mr. Bush, from the committee on agriculture, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the distribution of the moneys appropriated to promote agriculture, and for other purposes," which was committed to the committee of the whole.

Mr. Smith, from the select committee, reported complete the bill entitled; "An act to amend an act entitled, 'An act in relation to the road of the Phillipstown turnpike company,' passed Nov. 13, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cole, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of William Swanton," which was read the first time and by unanimous consent was also read a second time, and committed to the committee of the whole.

(*See Senate Bill No. 170.*)

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of four several bills from the Assembly with the following titles, to wit:

"An act to amend the charter of the village of Rome;" also

"An act to authorise the Presbyterian congregation of Middleport in the county of Niagara to borrow money;" also

"An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York;" also

"An act in relation to the Madison University;" also from four several bills with the following titles, to wit:

"An act to provide for the construction of a railroad from Genesee to the Genesee Valley canal;" also

"An act to erect the town of Millville from the towns of Cohocton and Dansville in the county of Steuben;" also

"An act for the relief of Joseph G. Case;" also

"An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill entitled, "An act to provide for the construction of a railroad from Geneseo to the Genesee Valley canal," be referred to a select committee consisting of Messrs. Ayrault, Bush and Brownson, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of Joseph G. Case," be referred to a select committee consisting of Messrs. Martin, Lawrence and S. H. P. Hall, to consider and report complete.

*Ordered*, That the bill entitled, "An act to erect the town of Millville from parts of Cohocton and Dansville in the county of Steuben," be referred to a select committee consisting of Messrs. Hawley, Clark and Ayrault, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," be referred to a select committee consisting of Messrs. Burch, Brownson and Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend the charter of the village of Rome," be referred to a select committee consisting of Messrs. Clark, Fine and Ayrault, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the Presbyterian congregation of Middleport in the county of Niagara to borrow money," be referred to a select committee consisting of Messrs. Cole, Adams and S. H. P. Hall, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York," be referred to a select committee consisting of Messrs. Lawrence, Tamblin and Burch, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the Madison University," be referred to a select committee consisting of Messrs. Williams, Floyd and Treadwell, to consider and report complete.

Mr. Johnson, from the select committee, reported complete the bill entitled, "An act to confirm the agreement between the New-York and New-Haven and New-York and Harlem Railroad Companies," with the title thereof altered so as to read as follows: "An act to authorise the New-York and New-Haven Railroad Company to run their cars to and from the city of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

Mr. Lawrence, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Frost, from the select committee to which was referred the petition for that purpose, reported a bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 171.)]

Mr. Treadwell, from the select committee, reported complete the bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to annex a part of the town of Shawangunk to the town of Plattskill in the county of Ulster,'" which was referred to a select committee consisting of Messrs. Treadwell, Frost and Whallon, to consider and report complete.

Afterwards,

Mr. Treadwell from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Assembly returned the bill entitled, "An act authorising the removal of the turnpike gate in the town of Cobleskill," with a message informing that they had passed the same with the amendments therewith delivered, which were read and concurred in, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Hawley	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Fine		

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FOR THE NEGATIVE.

Mr. Ayrault	Mr. Bush	Mr. Treadwell	3
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

The report of David Marsh, engineer, as to the probable cost of completing the Genesee Valley canal from the Shaker settlement to Canadea was received, and laid on the table.

(See Senate Doc. No. 58.)

On motion of Mr. Bush,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to improve the Cayuga creek road in the county of Erie," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Bush, Martin and Ayrault, be said committee.

Afterwards, by unanimous consent,

Mr. Bush, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Williams,

*Ordered*, That the bill from the Assembly entitled, "An act relating to riots," be made the special order for Monday next.

On motion of Mr. Ayrault,

*Ordered*, That the bill entitled, "An act for the formation of banks," be made the special order for Wednesday next.

On motion of Mr. Ayrault,

*Resolved*, That the Comptroller be requested to report to the Senate, at his earliest convenience, what rebate of interest might be properly allowed to the banks now contributing to the common fund called "Safety Fund," provided all such banks were to anticipate their prospective payments to the expiration of their respective charters, in discharge of their entire debt due to said fund, and provided such payments should be made on the first day of July next; also what amount of money remained in the Treasury to the credit of said fund during the year 1847, or any part thereof, and what amount now stands to the credit of said fund, and what rate of interest is or has been allowed thereon.

By unanimous consent,

Mr. Lawrence presented the remonstrance of ship owners and merchants of the city of New-York against the repeal of the act to amend the act concerning passengers in vessels coming to the city of New-York, which was referred to the select committee having said bill in charge.

Mr. Johnson introduced a bill entitled, "An act to amend an act entitled, 'An act to abolish distress for rent, and for other purposes,' passed May 13, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Clark introduced a bill entitled, "An act to elect a supervisor in each ward of the city of Utica," which was read the first time,

and by unanimous consent was also read a second time, and referred to the committee of the whole when upon the bill entitled, "An act to equalise the representation in the several boards of supervisors of the State."

(See Senate Bills No. 176 & 178.)

By unanimous consent,

Mr. Lawrence introduced a bill entitled, "An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Clark introduced a bill entitled, "An act to revive and continue an act entitled, 'An act to incorporate the Chenango Junction Canal Company,' passed May 12, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

On motion of Mr. Whallon,

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the sale of lands in the Canadian and Nova Scotia Refugee Tract in the town of Plattsburgh," be referred to the select committee to which it has heretofore been referred, to consider and report complete.

The bill entitled, "An act in relation to courts of record in Oswego county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Frost	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Clark	Mr. Johnson	

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The bill entitled, "An act to enable the board of supervisors of the city and county of New-York to raise money by tax," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Clark	Mr. Lawrence	Mr. Williams

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The bill entitled, "An act for the preservation of game in the counties of Orange and Greene," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Lawrence
Mr. Ayrault	Mr. Cole	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Brownson	Mr. Hawley	Mr. Whallon
Mr. Burch	Mr. Johnson	Mr. Wilkin

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## FOR THE NEGATIVE.

Mr. Cornwell	Mr. S. H. P. Hall	Mr. Williams
Mr. Floyd	Mr. Tamblin	

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The bill entitled, "An act to amend the Revised Statutes relative to obtaining possession of lands by summary proceedings," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Clark	Mr. Hawley	

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## FOR THE NEGATIVE.

Mr. Martin

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*Ordered*, That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence therein.

The Senate then, pursuant to order, spent some time in committee of the whole upon three several bills with the following titles, to wit:

"An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route;" also

"An act to provide for the construction of a railroad from Albany to Cohoes;" also

"An act to amend the charter of the Attica and Hornelsville Railroad Company," and Mr. Floyd, from said committee, reported progress on said first mentioned bill, and obtained leave to sit again.

*Ordered*, That the amendments offered in committee of the whole to said first mentioned bill be printed, and said bill be made the special order for Monday next.

*(See Senate Bill No. 153.)*

Mr. Floyd, from said committee, also reported said second mentioned bill with amendments, and with the title thereof altered so as to read as follows: "An act to declare the public use of a railroad from Albany to Cohoes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Floyd, from said committee, also reported said last mentioned bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act relating to the New-York and Harlem Railroad Company,' passed May 7, 1840, and the acts amending the same," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

The report of the Commissioners of the Land Office in answer to a resolution of the Senate of the 18th inst. was received, read, and laid on the table.

*(See Senate Doc. No. 54.)*

Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., MARCH 27, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Leshey.

The journal of Saturday was read and approved.

Mr. Bond presented the petition of citizens of the town of Scriba in favor of a county jail in the city of Oswego, which was laid on the table.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act to amend an act entitled, 'An act in relation to the road of the Phillipstown turnpike company,' passed Nov. 13, 1847;" also

"An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York."

Mr. Cornwell, from the committee on railroads, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act relating to the New-York and Harlem Railroad Company,' passed May 7, 1840, and the acts amending the same," which was committed to the committee of the whole.

Mr. Burch from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief of the funds of the Marine Hospital," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Wilkin, from the majority of the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act to amend an act entitled, 'An act to abolish distress for rent, and for other purposes,' passed May 13, 1846," which was committed to the committee of the whole.

Mr. Cole, from the same committee, to which was referred the petition for that purpose, reported a bill entitled, "An act for the relief and benefit of the Cambridge Washington Academy," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bills No. 172, 176 & 177.)

Mr. Cole, from the same committee, reported adversely to the petition of Jabez Mosher for relief out of the estate of the late Margaret McLelland, a lunatic, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. Hawley, from the select committee, reported complete the bill entitled, "An act to erect the town of Millville from parts of Cohocton and Dansville in the county of Steuben," with the title thereof altered so as to read as follows: "An act to erect the town of Wayland from parts of Cohocton and Dansville in the county of Steuben," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Clark, from the select committee, reported complete the bill from the Assembly entitled, "An act to consolidate and amend the several acts relating to the village of Rome," with amendments, and with the title thereof altered so as to read as follows: "An act to amend the charter of the village of Rome," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act more effectually to provide for common school education in the city and county of New-York,' passed May 7, 1844," and referring the same to a select committee to consider and report complete.

Thereupon,

*Ordered*, That said bill be referred to a select committee consisting of Messrs. Adams, Treadwell and Bond, to consider and report complete.

Afterwards,

Mr. Bond, from said committee, reported said bill complete, with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill ordered to a third reading.

By unanimous consent,

Said bill, with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Treadwell
Mr. Bond	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin		

*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Cole, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the Presbyterian congregation of Middleport in the county of Niagara to borrow money," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete the bill entitled, "An act to amend the Revised Statutes relative to the duty of assessors," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State."

Mr. Floyd moved to amend the report of said committee by adding at the end of subdivision 9 of § 39, as follows :

10. Actions brought by poor persons who prosecute as such.

11. Actions by and against executors or administrators, and by and against legatees ; and against next of kin, heirs and devisees ; and between heirs and devisees.

12. Actions and proceedings against corporations, whose place of business is within the county ; and actions by and against public bodies within the county having corporate powers, or the officers representing such public bodies.

13. Actions against Sheriffs, surrogates and other officers, and their securities, on their official bonds, except the bonds of surrogates, when the county judge discharges the duties of the office of surrogate.

14. Actions for penalties, forfeitures, and other liabilities created by statute, and suits and proceedings for the collection and remission of forfeited recognizances and fines, when such recognizances are taken in or returned to the county court, and the fines are imposed by such court.

15. Actions or proceedings for the collection of demands against ships or vessels, when the ship or vessel proceeded against is within the county.

16. Proceedings by ejectment for the recovery of demised premises, situated within the county, for non-payment of rent.

17. Proceedings as for contempt to enforce civil remedies and to protect the rights of parties in civil actions, where the remedy is pursued, or the action is brought in the same court.

18. Actions to recover the possession of personal property.

But no jurisdiction shall be entertained of the actions or proceedings mentioned in subdivisions 10, 11, 13, 14, 16 and 18 of this section, unless all the defendants or parties proceeded against shall, at the time the action is brought or proceeding instituted, reside within the county.

The President put the question upon agreeing to said motion, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Treadwell	
Mr. Bond	Mr. Floyd	Mr. Whallon	
Mr. Clark	Mr. Fox	Mr. Wilkin	
Mr. Cole	Mr. Little	Mr. Williams	12

## FOR THE NEGATIVE.

Mr. Betts	Mr. Fine	Mr. Hawley	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. S. H. P. Hall	Mr. Smith	9

Mr. S. H. P. Hall moved a reconsideration of the vote just taken, which motion was laid on the table.

Mr. Burch, from the select committee, reported complete the bill entitled, "An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Fuller, from the committee on canals, reported in favor of the the passage of the bill entitled, "An act authorising the appointment of a deputy and employment of clerks in the State Engineer and Surveyor General's office," which was committed to the committee of the whole, and made the special order for Thursday next.

By unanimous consent,

Mr. Coffin introduced a bill entitled, "An act to incorporate the New-York and Savannah Steam Navigation Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Floyd gave notice that he would, to-morrow, move to add to the rules of the Senate the following :

46. No member of the Senate shall vote on any question, in the event of which he is immediately and particularly interested.

On motion of Mr. Clark,

*Ordered*, That the bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," be recommit-  
ted to a select committee to consider and report complete.

*Ordered*, That Messrs. Clark, Fine and Brownson, be said committee.

On motion of Mr. Cornwell,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act relating to the New-York and

Harlem Railroad Company," passed May 7, 1840, and the acts amending the same," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Cornwell, Hawley and S. H. P. Hall, be said committee.

On motion of Mr. Fine,

*Ordered*, That the bill entitled, "An act incorporating the Sackett Harbor and Saratoga Railroad Company," be recommitted to the select committee which reported it, to consider and report complete.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit :

"An act to declare the public use of a railroad from Albany to Cohoes;" also

"An act to amend the charter of the Attica and Hornellsville Railroad Company;" also

"An act to erect the town of Wayland from parts of Cohocton and Dansville in the county of Steuben."

The Assembly returned the bill entitled, "An act to incorporate the Utica Waterworks Company," with a message informing that they had receded from their amendments thereto, and had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned two several bills with the following titles, to wit :

"An act to release the interest of the State in certain real estate of which John McLeish died seised;" also

"An act to divide the town of Union and erect the town of Maine in the county of Broome," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842," with a message informing that they had passed the same with the amendments therewith delivered, which were referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled, "An act to annex part of the town of Pultney to the town of Urbana in the county of Steuben," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the division of towns and counties.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act more effectually to provide for common school education in the city and county of New-York,' passed May 7, 1844," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act in relation to existing railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act in relation to certain over-payments to the Bank Fund," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Three several bills were received from the Assembly for concurrence, with the following titles, to wit :

"An act to provide for the appropriation of certain moneys towards building a bridge across the Allegany river;" also

"An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river;" also

"An act in relation to the road from Ogdensburgh to Canton in the county of St. Lawrence," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act in relation to documentary evidence;" also

"An act to confirm the official acts of William H. Olmstead, Cornelius Ross, and Jeremiah B. Millard, justices of the peace of the town of West Union;" also

"An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Cornwell, from the committee on railroads, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act in relation to existing railroad corporations," which amendments, by unanimous consent, were ordered engrossed, and said bill to a third reading.

By unanimous consent,

Said bill, with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams

Mr. Betts

Mr. Brownson

Mr. Burch

Mr. Clark

Mr. Cornwell

Mr. Fine

Mr. Floyd

Mr. Fox

Mr. Fuller

Mr. Hawley

Mr. Little

Mr. Martin

Mr. Smith

Mr. Treadwell

Mr. Coffin  
Mr. Cole

Mr. S. H. P. Hall

Mr. Whallon

19

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill entitled, "An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little
Mr. Betts	Mr. Cornwell	Mr. Smith
Mr. Bond	Mr. Fine	Mr. Treadwell
Mr. Burch	Mr. Floyd	Mr. Whallon
Mr. Clark	Mr. Fox	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

20

The bill entitled, "An act to amend an act entitled, 'An act in relation to the road of the Phillipstown Turnpike Company,' passed November 18, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bond	Mr. Cornwell	Mr. Smith
Mr. Brownson	Mr. Fine	Mr. Whallon
Mr. Burch	Mr. Floyd	Mr. Wilkin
Mr. Clark	Mr. Fox	Mr. Williams
Mr. Coffin	Mr. S. H. P. Hall	

20

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the Presbyterian congregation of Middleport in the county of Niagara to borrow money," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Fox
Mr. Betts	Mr. Cole	Mr. S. H. P. Hall
Mr. Bond	Mr. Cook	Mr. Hawley
Mr. Brownson	Mr. Cornwell	Mr. Smith
Mr. Burch	Mr. Fine	Mr. Treadwell
Mr. Clark	Mr. Floyd	Mr. Whallon
		18

FOR THE NEGATIVE.

Mr. Williams	1
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The bill from the Assembly entitled, "An act to repeal an act entitled, 'An act to annex a part of the town of Shawangunk to the town of Plattekill in the county of Ulster,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Bond	Mr. Cook	Mr. Little
Mr. Brownson	Mr. Cornwell	Mr. Treadwell
Mr. Burch	Mr. Fine	Mr. Whallon
Mr. Clark	Mr. Fox	Mr. Wilkin
Mr. Coffin	Mr. Fuller	Mr. Williams
Mr. Cole	Mr. S. H. P. Hall	
		18

FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	2
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*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

Then the Senate took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

By unanimous consent,

Mr. Whallon, from the select committee, reported complete the bill entitled, "An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on lake

Champlain to Boonville," which report was agreed to by the Senate, and said bill ordered to a third reading.

The bill entitled, "An act to erect the town of Wayland from parts of Cohocton and Dansville in the county of Steuben," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams

21

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to improve the Cayuga creek road in the county of Erie," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to consolidate and amend the several acts relating to the village of Rome," with the engrossed amendments and new title, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin		

22

*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill from the Assembly entitled, "An act relating to riots," and Mr. Coffin, from said committee reported that the committee had stricken out the enacting clause of said bill.

Mr. Brownson moved to amend the report of said committee by restoring said enacting clause.

The President put the question upon agreeing to said motion, and the vote thereon was as follows :

FOR THE AFFIRMATIVE.

Mr. Brownson	Mr. Cornwell	Mr. Little
Mr. Clark	Mr. Fine	Mr. Whallon
Mr. Coffin	Mr. Fox	Mr. Williams
Mr. Cole		

10

FOR THE NEGATIVE.

Mr. Adams	Mr. Fuller	Mr. Martin
Mr. Betts	Mr. S. H. P. Hall	Mr. Smith
Mr. Bond	Mr. Hawley	Mr. Treadwell
Mr. Floyd		

10

The ayes and noes being equally divided, the President gave the casting vote in the affirmative.

Mr. S. H. P. Hall then moved to recommit said bill to the committee of the whole, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fuller	Mr. Martin
Mr. Betts	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Floyd	Mr. Hawley	Mr. Whallon

9

## FOR THE NEGATIVE.

Mr. Brownson	Mr. Cole	Mr. Little
Mr. Burch	Mr. Cornwell	Mr. Smith
Mr. Clark	Mr. Fine	Mr. Williams
Mr. Coffin		

10

The question being upon agreeing to the report of said committee as amended,

Mr. S. H. P. Hall moved to lay the same on the table, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Hawley
Mr. Betts	Mr. Fuller	Mr. Martin
Mr. Bond	Mr. S. H. P. Hall	Mr. Treadwell

9

## FOR THE NEGATIVE.

Mr. Brownson	Mr. Cole	Mr. Little
Mr. Burch	Mr. Cornwell	Mr. Smith
Mr. Clark	Mr. Fine	Mr. Whallon
Mr. Coffin	Mr. Fox	Mr. Williams

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The President then put the question upon agreeing to the report of said committee as amended, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brownson	Mr. Cornwell	Mr. Smith
Mr. Clark	Mr. Fine	Mr. Whallon
Mr. Coffin	Mr. Fox	Mr. Williams
Mr. Cole	Mr. Little	

11

## FOR THE NEGATIVE

Mr. Adams	Mr. Floyd	Mr. Hawley
Mr. Betts	Mr. Fuller	Mr. Martin
Mr. Bond	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Burch		

10

The President then put the question upon ordering the said bill to a third reading, which was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Brownson	Mr. Cornwell	Mr. Smith
Mr. Clark	Mr. Fine	Mr. Whallon

Mr. Coffin	Mr. Fox	Mr. Williams	
Mr. Cole	Mr. Little		11

## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Hawley	
Mr. Betts	Mr. Fuller	Mr. Martin	
Mr. Bond	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Burch			10

Then the Senate adjourned until ten o'clock to-morrow morning.

## TUESDAY, 10 O'CLOCK, A. M., MARCH 28, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Needham.

The journal of yesterday was read and approved.

Mr. Burch presented 12 several petitions of citizens of Palatine, Montgomery county, for a repeal of the law laying out a road from Palatine bridge to State lands in Fulton county, and their remonstrance against any alteration of said law, which were referred to the committee on roads and bridges.

Mr. Burch also presented the remonstrance of sundry citizens of Little Falls against the reduction of railroad fare, which was referred to the committee on railroads.

Mr. Geddes presented the petition of inhabitants of the counties of Onondaga and Cayuga for the repeal of the charter of the Cato and Jordan Bridge Company, which was referred to the committee on roads and bridges.

Mr. Burch presented the petition of officers of the town of Palatine for the repeal of the law laying out a road from Palatine bridge to lands belonging to the State in Fulton county, which was referred to the committee on roads and bridges.

Mr. Little presented the petition of W. W. Story and others in favor of the passage of an act entitled, "An act for the relief of destitute families of seamen;" also the proceedings of a large meeting of ship masters and mariners of the port of New-York for the same object, which was referred to the committee of the whole when upon said bill.

Mr. Fuller, from the committee on canals, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act for the construction of a bridge from State-street to the pier in the city of Albany," which was committed to the committee of the whole.

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," which was committed to the committee of the whole.

Mr. Smith, from the same committee, reported for the consideration of the Senate the bill from the Assembly entitled, "An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," which was committed to the committee of the whole.

Mr. Treadwell, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the road from Ogdensburgh to Canton in the county of St. Lawrence," which was committed to the committee of the whole.

Mr. Ayrault, from the committee on banks and insurance companies, reported in writing adversely to the passage of the bill from the Assembly entitled, "An act authorising the formation of savings banks;" also to the petitions for the passage of a general law for the incorporation of savings banks, which report was agreed to by the Senate.

(See Senate Doc. No. 59.)

A motion to print ten times the usual number of copies of said report, was referred to the committee on public printing.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill entitled, "An act to incorporate the New-York and Savannah Steam Navigation Company," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act to amend the Revised Statutes in relation to the duty of assessors."

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of three several bills from the Assembly, with the following titles, to wit :

"An act in relation to documentary evidence ;" also

"An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York ;" also

"An act to confirm the official acts of William H. Olmstead, Cornelius Rosa and Jeremiah B. Millard, justices of the peace of the town of West Union," which were severally committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill entitled, "An act authorising a certiorari in certain cases," which was committed to the committee of the whole when upon the bill entitled, "An act authorising the appointment of a deputy and employment of clerks in the State Engineer and Surveyor General's office."

On motion of Mr. Fine,

The Senate then proceeded to the consideration of a concurrent resolution heretofore reported by the select committee, in the words following, to wit :

*Resolved*, (if the Assembly concur,) That by the existing laws of this State, collectors of tolls, locktenders, and other officers on the canals, cannot be required to, or lawfully perform any of the duties of their offices on the Sabbath, except in cases of necessity ; and that any rule or regulation requiring them to do so, is a direct violation of the 8th article of title 8, chapter 20, and part first of the Revised Statutes, entitled "Of the observance of Sunday."

Without taking any question thereon,

Mr. Johnson moved to lay the same on the table, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Bond	Mr. Geddes	Mr. Martin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Coffin		

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FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Cornwell	Mr. Hawley	Mr. Williams
Mr. Fine	Mr. Little	

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Mr. Fine moved to amend said resolution by striking out thereof the words "if the Assembly concur," which motion was decided in the negative.

Debates being had thereon, without taking any question,

Mr. Coffin moved to lay the further consideration thereof on the table, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Fuller	Mr. Martin
Mr. Bond	Mr. Geddes	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. Johnson	Mr. Wilkin

15

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Fine	Mr. Little	
Mr. Burch	Mr. Floyd	Mr. Smith	
Mr. Clark	Mr. Fox	Mr. Whallon	
Mr. Cornwell	Mr. Hawley	Mr. Williams	12

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the Madison University," which report was laid on the table.

Mr. Martin, from the select committee, reported complete, with amendments, the bill entitled, "An act for the relief of Joseph G. Case," which report was laid on the table.

On motion of Mr. Geddes,

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act for the more effectual protection of the property of married women," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the Tonawanda Railroad Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Tamblin, from the select committee, reported complete the bill entitled, "An act incorporating the Saratoga and Sackets Harbor Railroad Company."

Mr. Clark moved to refer said bill to the Commissioners of the Land Office, which motion was decided in the negative.

The report of said committee was then agreed to, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to amend an act entitled, 'An act relating to the New-York and Harlem Railroad Company,' passed May 7, 1840, and the acts amending the same," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Assembly returned the bill entitled, "An act in relation to existing railroad corporations," with a message informing that they do not concur with the Senate in their amendments to said bill.

Mr. Coffin moved that the Senate recede from their said amendments to said bill, which was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bond	Mr. S. H. P. Hall	Mr. Smith
Mr. Brownson	Mr. Hawley	Mr. Treadwell
Mr. Burch	Mr. Johnson	Mr. Whallon
Mr. Clark	Mr. Lawrence	Mr. Wilkin
Mr. Coffin		

19

FOR THE NEGATIVE.

Mr. Bokee	Mr. Cornwell	Mr. Fuller
Mr. Cole	Mr. Fine	Mr. Geddes

6

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have receded from their said amendments thereto, and have passed the same without amendment.

On motion of Mr. Treadwell,

*Ordered*, That the resolutions reported by the select committee on so much of the Governor's message as relates to landlords and tenants, be made the special order for Friday next.

On motion of Mr. Lawrence,

*Ordered*, That the select committee to which was referred the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable waters of the great western lakes to Lake Champlain,' passed May 14, 1845," have leave to hold sittings during the afternoon sessions of the Senate.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of three several bills from the Assembly with the following titles, to wit :

"An act to amend an act to incorporate the village of Madison ;" also

"An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company,' passed May 12, 1836 ;" also

"An act in relation to the mayors' court of the city of Rochester ;" also five several bills with the following titles, to wit :

"An act to incorporate the New-York and Savannah Steam Navigation Company;" also

"An act to enable the town of Day to raise money to rebuild a bridge ;" also

"An act to erect the town of North Hudson in the county of Essex ;" also

"An act to grant to John Harrison Kirby the right to hold and convey real estate ;" also

"An act to build a county jail in the village or city of Oswego as the case may be," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act to incorporate the village of Madison," be referred to a select committee consisting of Messrs. Floyd, Cornwell and Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the mayor's court of the city of Rochester," be referred to a select committee consisting of Messrs. Fuller, Fine and Geddes, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company,' passed May 12, 1896," be referred to a select committee consisting of Messrs. Johnson, Tamblin and Brownson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to build a county jail in the village or city of Oswego, as the case may be," be referred to a select committee consisting of Messrs. Bond, Coffin and Geddes, to consider and report complete.

*Ordered*, That the bill entitled, "An act to enable the town of Day to raise money to build a bridge," be referred to a select committee consisting of Messrs. Cook, Bond and Betts, to consider and report complete.

*Ordered*, That the bill entitled, "An act to erect the town of North Hudson in the county of Essex," be referred to a select committee consisting of Messrs. Whallon, Lawrence and Bokee, to consider and report complete.

*Ordered*, That the bill entitled, "An act to grant to John Harrison Kirby the right to hold and convey real estate," be referred to a select committee consisting of Messrs. Coffin, Betts and Brownson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to incorporate the New-York and Savannah Steam Navigation Company," be referred to a select committee consisting of Messrs. Coffin, Bokee and Floyd, to consider and report complete.

On motion of Mr. Fuller,

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State."

The question being upon the motion made by Mr. S. H. P. Hall to reconsider the vote taken yesterday upon agreeing to the motion made by Mr. Floyd to amend said report,

The President put the question upon agreeing to said motion, which was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Bokee  
Mr. Brownson

Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Martin  
Mr. Smith  
Mr. Tamblin

Mr. Burch	Mr. Hawley	Mr. Treadwell	
Mr. Coffin	Mr. Johnson	Mr. Wilkin	
Mr. Fine	Mr. Lawrence		17

FOR THE NEGATIVE.

Mr. Adams	Mr. Cole	Mr. Floyd	
Mr. Clark	Mr. Cornwell	Mr. Little	6

The President then again put the question upon agreeing to said motion made by Mr. Floyd to amend said report, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence	
Mr. Bond	Mr. Cornwell	Mr. Little	
Mr. Clark	Mr. Floyd	Mr. Whallon	9

FOR THE NEGATIVE.

Mr. Betts	Mr. Fuller	Mr. Martin	
Mr. Brownson	Mr. Geddes	Mr. Smith	
Mr. Burch	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Coffin	Mr. Hawley	Mr. Treadwell	
Mr. Fine	Mr. Johnson	Mr. Wilkin	15

Mr. Tamblin moved to amend the report of said committee by striking out section 270 of said bill, and inserting in lieu thereof the following : "Costs on motion shall be in the discretion of the court."

The President then put the question upon agreeing to said motion, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Coffin	Mr. Little	
Mr. Bond	Mr. Cole	Mr. Tamblin	
Mr. Clark	Mr. Fine		8

FOR THE NEGATIVE.

Mr. Brownson	Mr. Geddes	Mr. Smith	
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Floyd	Mr. Hawley	Mr. Whallon	
Mr. Fox	Mr. Lawrence	Mr. Wilkin	
Mr. Fuller	Mr. Martin		14

The report of said committee was then agreed to, and said bill ordered to a third reading.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

On motion of Mr. Cornwell, and by unanimous consent,

*Resolved*, That the Secretary of State be, and is hereby requested to transmit a statement of the number of pardons granted by the Governor in the year from and including each year 1845 to and including the year 1847, with the name of the Governor granting them.

The Assembly returned the bill entitled, "An act for the election of certain officers in the city of Schenectady by the electors thereof, and to regulate the police of said city," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the weight of sack salt," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act in relation to the trustees of the Seamen's Fund and Retreat in the city of New-York,' passed March 17, 1843," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was received from the Assembly for concurrence entitled, "An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 23, 1843," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the Farmers' Mutual Insurance Company of Erie county,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

Four several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act in relation to the proceedings pending before the late circuit judges ;" also

"An act in relation to the recorder's court of the city of Buffalo;" also

"An act to provide for filling the vacancies in the office of justice of the municipal court in the city of Brooklyn;" also

"An act to change the name of Charles Dexter Beers to Charles Dexter Gambrill," which were severally read the first time; and by unanimous consent were also read a second time, and referred to the committee on the judiciary.

Four several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act to authorise the president, directors and first company of the great western turnpike road to construct a plank road and for other purposes;" also

"An act to provide for the assessment of damages occasioned by laying out, altering or discontinuing any highway between the 1st day of December 1846 and the 14th day of December 1847;" also

"An act in relation to the Prattsville Turnpike Company, and the inhabitants living along the same in the town of Lexington;" also

"An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hyada, late commissioners of highways of the town of Seward," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Three several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844;" also

"An act to amend the act in relation to the village of Batavia, passed April 22, 1844;" also

"An act to amend 'An act incorporating the village of Jefferson,' passed April 11, 1842," which were severally read the first time; and by unanimous consent were also read a second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of the purchasers of the old fortification block No. 2, West Oswego," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act requiring the county judge of the county of Queens to keep books of general indices," which was read the first time, and by un-

nimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to levy a tax upon school district No. 14 in the towns of Milan and Pine Plains to reimburse certain moneys to John Germond, David J. Hicks and Nathan Smith," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek, and to extend the town docks," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act incorporating the Sackets Harbor and Saratoga Railroad Company;" also

"An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on lake Champlain to Boonville;" also

"An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased."

By unanimous consent,

Mr. Bokee introduced a bill entitled, "An act in relation to steam vessels navigating the waters of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. Williams offered a resolution in the words following, which was read and laid on the table, to wit:

*Resolved*, (if the Assembly concur,) That this Legislature will adjourn on Monday the 10th day of April next, at 12 o'clock at noon.

By unanimous consent,

Mr. Cornwell introduced a bill entitled, "An act to authorise the formation of railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

The bill entitled, "An act to amend the Revised Statutes in relation to the duty of assessors," coming up for a third reading,

On motion of Mr. Smith,

*Ordered*, That said bill be recommitted to the committee of the whole, and that the usual number of copies thereof be printed.

(See Senate Bill No. 193.)

The bill from the Assembly entitled, "An act relating to riots," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cornwell	Mr. Little	
Mr. Brownson	Mr. Fine	Mr. Whallon	
Mr. Clark	Mr. Fox	Mr. Williams	
Mr. Cole	Mr. Johnson		11

FOR THE NEGATIVE.

Mr. Ayrault	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Betts	Mr. Hawley	Mr. Treadwell	
Mr. Burch	Mr. Martin	Mr. Wilkin	
Mr. Fuller			10

Mr. Cole moved a reconsideration of the vote just taken on the final passage of said bill.

Mr. Cole then moved to lay said motion on the table, which last mentioned motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fine	Mr. Little	
Mr. Brownson	Mr. Fox	Mr. Whallon	
Mr. Clark	Mr. Johnson	Mr. Williams	
Mr. Cole			10

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Fuller	Mr. Martin	
Mr. Betts	Mr. Geddes	Mr. Tamblin	
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Cornwell	Mr. Hawley	Mr. Wilkin	12

The President then put the question upon said first mentioned motion of Mr. Cole to reconsider said vote, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fine	Mr. Little	
Mr. Brownson	Mr. Fox	Mr. Whallon	
Mr. Clark	Mr. Johnson	Mr. Williams	
Mr. Cole			10

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Geddes	Mr. Smith	
Mr. Betts	Mr. S. H. P. Hall	Mr. Tamblin	

Mr. Burch  
Mr. Cornwell  
Mr. Fuller

Mr. Hawley  
Mr. Martin

Mr. Treadwell  
Mr. Wilkin

13

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act relating to the New-York and Harlem Railroad Company,' passed May 7, 1840, and the acts amending the same," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Johnson  
Mr. Little

Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

22.

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill entitled, "An act to authorise the New-York and New Haven Railroad Company to run their cars upon the Harlem railroad to and from the city of New-York," coming up for a third reading,

On motion of Mr. Cornwell,

The further consideration thereof was indefinitely postponed.

The bill entitled, "An act extending the time for the completion of a railroad and slack water navigation from or near Port Kent on Lake Champlain to Boonville," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Burch  
Mr. Clark  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Fox  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Johnson  
Mr. Little

Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

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The bill entitled, "An act to declare the public use of a railroad from Albany to Cohoes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams
Mr. Cornwell		

19

The bill entitled, "An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Burch	Mr. Hawley	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Little	Mr. Williams
Mr. Cornwell		

22

*Ordered,* That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to release Silas Olmsted from a judgment obtained against him in favor of the State of New-York," coming up for a third reading,

On motion of Mr. Cole,

*Ordered,* That said bill be returned to the Assembly, with a respectful message informing that, in the opinion of the Senate, it is necessary that on the final passage thereof in either House three-fifths of all the members elected to such House should be present, and that this fact ought to be certified by the presiding officer thereof.

The Assembly returned the bill entitled, "An act to alter the commissioners' map of the city of Brooklyn," with a message informing that they had passed the same with the amendments therewith delivered, which was referred to the committee on the incorporation of cities and villages.

The Assembly returned the bill entitled, "An act to consolidate and amend the several acts relating to the village of Rome," with a message informing that they had concurred with the Senate in their amendments thereto, and to the title thereof so as to read as follows: "An act to amend the charter of the village of Rome," and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the president, directors and company of the Catskill bank to reduce their capital," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to levy a tax upon the town of Hornellsville," with a message informing that they had passed the same with the amendments therewith delivered, which were read and concurred in, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Martin
Mr. Betts	Mr. Fuller	Mr. Smith
Mr. Bokee	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams
Mr. Fine	Mr. Little	

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the quarantine establishment on Staten Island," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on medical societies and colleges.

A bill was received from the Assembly for concurrence entitled, "An act to divide school district No. 13 in the town of Newburgh," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Canal Board to assume in behalf of the State the Dansville slip and basin," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to erect the town of Worth in the county of Jefferson," also

• "An act to erect the town of Schuyler Falls from the town of Plattsburgh," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on the division of towns and counties.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to levy a tax upon the town of Marbletown for the payment of a balance due John R. Cole for building a bridge ;" also

"An act to amend the act entitled, 'An act to provide for the incorporation of companies to construct plank roads and companies to construct turnpike roads,' passed May 7, 1847," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

Then the Senate adjourned until ten o'clock to-morrow morning.

WEDNESDAY, 10 O'CLOCK, A. M., MARCH 29, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Ayrault presented the memorial of the bank of Utica praying for the passage of the bill for the formation of banks, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Treadwell presented the remonstrance of citizens of Albany county against the passage of the bill for a plank road on the great western turnpike, which was referred to the committee on roads and bridges.

Mr. Whallon presented two several remonstrances of inhabitants of Franklin county, Vermont, against bridging lake Champlain at Rouse's Point, which was referred to the select committee to which that subject has been referred.

Mr. Cook presented the remonstrance of the town of Edinburgh against the passage of an act to purchase the toll bridge between the towns of Hadley and Luzerne in the county of Saratoga, which was referred to the committee of the whole when upon said bill.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill entitled, "An act to amend an act entitled, 'An act to authorise the formation of railroad corporations,' which was referred to a select committee consisting of Messrs. Cornwell, Coffin and Fine, to consider and report complete."

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," which, by unanimous consent, was ordered to a third reading.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to determine and decide the public utility of a railroad from the city of Troy to the easterly line of the county of Rensselaer," which was committed to the committee of the whole.

Mr. Little, from the committee on charitable and religious societies, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the trustees of the Seamens' Fund and Retreat in the city of New-York,' passed March 17, 1843," which was committed to the committee of the whole.

Mr. Little, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," which was committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, reported adversely to the passage of the bill entitled, "An act to subject to taxation certain debts owing to non-residents of the United States," also to the several petitions for the same purpose, which report was laid on the table.

On motion of Mr. Johnson,

*Resolved*, That the committee on railroads be discharged from the further consideration of the bill entitled, "An act to regulate the location of the Hudson river railroad through the lands of the State at Sing Sing," and that the same be referred to the Attorney General for his opinion whether or not the inspectors of that prison at Mt. Pleasant were authorised by law to determine the location of said railroad through the grounds of said prison.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act for the more effectual protection of the property of married women."

Mr. Fine, from the committee on railroads, reported adversely to the passage of the bill from the Assembly entitled, "An act to regulate the fare on railroads between Albany and Buffalo," which report was agreed to by the Senate, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrauk	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwall	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin		

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FOR THE NEGATIVE.

Mr. Cole	Mr. Smith	Mr. Wilkin
Mr. Floyd		

4

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the Prattsville Turnpike Company, and the inhabitants living along the same in the town of Lexington," which was committed to the committee of the whole.

Mr. Geddes, from the same committee, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit:

"An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," also

"An act to provide for the assessment of damages occasioned by laying out, altering or discontinuing any highway between the first day of December, 1846, and the 14th day of December, 1847," which were severally committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of three several bills from the Assembly with the following titles, to wit:

"An act to provide for filling the vacancy in the office of justice of the municipal court in the city of Brooklyn," also

"An act to change the name of Charles Dexter Beers to Charles Dexter Gambriel," also

"An act requiring the county judge of Queens county to keep books of general indices," which were severally committed to the committee of the whole.

Mr. Wilkin, from the same committee, reported a bill entitled, "An act to amend 'An act in relation to the judiciary,' passed May 12, 1847, and to amend the act amendatory thereof, passed December 14, 1847," which was read the first time, and by unanimous con-

sent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 180.)

Mr. Fine, from the same committee, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit :

"An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," also

"An act in relation to the proceedings pending before the late circuit judges," which were severally committed to the committee of the whole.

Mr. Bond, from the committee on literature, reported in favor of the passage of three several bill from the Assembly with the following titles, to wit :

"An act to divide school district No. 13 in the town of Newburgh," also

"An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 13, 1843," also

"An act to levy a tax upon school district No. 14 in the towns of Milan and Pine Plains to reimburse certain moneys to John Germond, David J. Hicks and Nathan Smith," which were severally committed to the committee of the whole.

Mr. Fox, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to annex part of the town of Pultney to the town of Urbana in the county of Steuben," which was committed to the committee of the whole.

Mr. Coffin, from the committee on poor laws, reported adversely to concurring with the Assembly in their amendments to the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance, and recovery of the insane,' passed April 7, 1842," which report was agreed to by the Senate.

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in their amendments thereto.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit :

"An act to amend the act in relation to the village of Batavia, passed April 22, 1844," also

"An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844," which were severally committed to the committee of the whole.

Mr. Fuller, from the committee on canals, to which were referred the several petitions for that purpose, reported a bill entitled, "An act to continue in force the act passed February 24, 1809, entitled, 'An act to authorise Jonas C. Baldwin to erect a dam across the Seneca river,'" which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 181.)

Mr. Brownson, from the committee on public printing, reported in favor of printing ten times the usual number of copies of the report made by Mr. Ayrault from the committee on banks and insurance companies against the passage of the bill for the formation of savings banks.

Mr. Smith moved to amend the report of said committee by printing five times the usual number of copies of said report instead of ten times the usual number of copies thereof, which motion was decided in the affirmative.

The President then put the question upon agreeing to the report of said committee as amended, which was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Mr. Ayrault, from the committee on banks and insurance companies, reported a bill entitled, "An act for the formation of a savings bank at Binghamton in the county of Broome," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. S. H. P. Hall, Floyd and Williams, to consider and report complete.

Mr. Ayrault, from the same committee, reported a bill entitled, "An act to authorise the foreclosure of bank mortgages," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Mr. Hawley introduced a bill entitled, "An act to subject to taxation certain debts owing by residents of this State to non-residents of the United States," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 185.)

By unanimous consent,

Mr. Fuller introduced a bill entitled, "An act relating to railroad corporations," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Brownson introduced a bill entitled, "An act to amend the act incorporating the Buffalo and Hamburg Turnpike Company,"

which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole, and made the special order for Monday next.

(See Senate Bill No. 194.)

Mr. Cornwell, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act to authorise the formation of railroad corporations,'" which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

Mr. Floyd, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act to incorporate the village of Madison," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the mayor's court of the city of Rochester," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill entitled, "An act to build a county jail in the village or city of Oswego as the case may be," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Johnson, from the select committee, reported complete the bill entitled, "An act in relation to the appointment of commissioners of deeds in and for the several cities of this State, except the city of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Mr. S. H. P. Hall, from the committee on engrossed bills, reported said bill as correctly engrossed.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act to incorporate the New-York and Savannah Steam Navigation Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act to grant to John Harrison Kirby the right to hold and convey real estate," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cook, from the select committee, reported complete the bill entitled, "An act to enable the town of Day to raise money to rebuild a bridge," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Ayrault, from the select committee, reported complete the bill entitled, "An act to provide for the construction of a railroad from Genesee to the Genesee Valley canal," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Ayrault,

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act for the relief of Joseph G. Case," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Johnson,

Ordered, That the committee on medical colleges and societies be discharged from the further consideration of the bill from the Assembly entitled, "An act in relation to the Quarantine establishment on Staten Island," and the same be referred to the committee on grievances.

On motion of Mr. Feller,

Ordered, That the bill entitled, "An act in relation to the funds and securities in the possession of the clerk of the court of appeals," be made the special order for Friday next.

Leave of absence was granted to Mr. Adams for one week.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act relating to the New-York and Harlem Railroad Company,' passed May 7, 1840, and the acts amending the same," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined;

Ordered, That the clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1843," with a message informing that they had passed the same without amendment.

Thereupon,

Ordered, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act relative to the proof of the statute, and common law of other states and territories," which was read first time; and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Cornwell,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route," and that the same be referred to a select committee, to consider and report complete.

Ordered, That Messrs. Cornwell, Hawley and Wilkin, be said committee.

On motion of Mr. Tamblin,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to incorporate the Black River Steamboat Company," and that the same be referred to a select committee to consider and report complete.

Ordered, That Messrs. Tamblin, Bokee and Brownson, be said committee.

On motion of Mr. Fox,  
*Ordered*, That the bill from the Assembly entitled, "An act to determine and decide the public utility of a railroad from the city of Troy to the easterly line of the county of Rensselaer," be made the special order for Monday next.

The report of the Comptroller in answer to a resolution of the Senate of the 25th inst. was received, read, and referred to the committee on banks and insurance companies.

(See Senate Doc. No. 56.)

A message was received from the Governor, informing that he had approved and signed four several bills with the following titles, to wit :

"An act to divide the town of Union and erect the town of Maine in the county of Broome," also

"An act to release the interest of the State in certain real estate of which John McLeish died seised," also

"An act to amend an act entitled, 'An act more effectually to provide for common school education in the city and county of New-York,' passed May 7, 1848," also

"An act to authorise the president, directors and company of the Catskill bank to reduce their capital."

Mr. Johnson offered a resolution in the words following, to wit :

*Resolved*, That the select committee on so much of the Governor's message as relates to landlords and tenants be discharged from the further consideration of all petitions, memorials and documents in reference to the effects of the law relating to the equalization of taxes, complaining of grievances under that law, asking relief, and other matters relating to amendments of that law, and that they be referred to a select committee of three Senators.

The President put the question upon agreeing to said resolution which was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Bokee  
 Mr. Bond

Mr. Clark  
 Mr. Floyd

Mr. Fuller  
 Mr. Martin

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#### FOR THE NEGATIVE.

Mr. Ayrault  
 Mr. Betts  
 Mr. Brownson  
 Mr. Burch  
 Mr. Coffin  
 Mr. Cole

Mr. Cook  
 Mr. Cornwell  
 Mr. Fine  
 Mr. Fox  
 Mr. Geddes

Mr. Hawley  
 Mr. Taublin  
 Mr. Treadwell  
 Mr. Wilkin  
 Mr. Williams

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In pursuance of previous notice,

Mr. Floyd moved to amend the 17th standing rule of the Senate by adding thereto the following :

"No member of the Senate shall vote on any question, in the event of which he is immediately and particularly interested."

Without taking any question thereon,

Mr. Wilkin then moved to lay the same on the table, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Brownson	Mr. Cornwell	Mr. Lawrence
Mr. Clark	Mr. Fox	Mr. Martin
Mr. Coffin	Mr. Fuller	Mr. Treadwell
Mr. Cole		

13

FOR THE NEGATIVE.

Mr. Betts	Mr. Floyd	Mr. Whallon
Mr. Fine	Mr. S. H. P. Hall	Mr. Wilkin

6

Mr. Hawley offered a resolution in the words following, to wit :

*Resolved*, That the committee on finance, to which was referred the concurrent resolutions relative to the title of the Pultney and Hornby estates, be instructed to report thereon without delay.

The President put the question upon agreeing to said resolution, which was decided in the negative.

Afterwards,

Mr. Hawley moved a reconsideration of the vote taken upon agreeing to said resolution, which was laid on the table.

Mr. Cook offered a resolution in the words following, to wit :

*Resolved*, That the committee on banks and insurance companies be requested to report for the consideration of the Senate a bill now in their hands entitled, "An act to amend an act in relation to the redemption of bank notes."

The President put the question upon agreeing to said resolution, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Little	

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## FOR THE NEGATIVE.

Mr. Bond  
Mr. Cole

Mr. Fuller  
Mr. Johnson

Mr. Lawrence  
Mr. Martin 6

Afterwards,

Mr. Cole moved a reconsideration of the vote taken upon agreeing to said resolution, which motion was decided in the negative.

Mr. Cole offered the following amendment to the Constitution of this State, which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary :

*Resolved, (if the Assembly concur,)* That the following amendment be proposed to the Constitution of this State ; that the same be referred to the Legislature to be chosen at the next annual election of Senators, and be published for three months previous to the time of making such choice, in conformity with the 1st section of the 13th article of the Constitution.

Section 6 of article 4 of the Constitution shall be amended so as to read as follows :

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease : or, if there shall be a vacancy in the office of Lieutenant-Governor, or if the Lieutenant-Governor be under impeachment, or be absent from the State, or incapable of performing the duties of his office, then the powers and duties of the office of Governor shall devolve upon the President of the Senate : or if there be no President of the Senate at the time, then upon the Speaker of the Assembly for the residue of the term of the said Governor, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State, in time of war, at the head of a military force, he shall continue commander-in-chief of all the military force in the State.

The bill entitled, "An act in relation to the appointment of commissioners of deeds in and for the several cities of this State except the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson

Mr. Cook  
Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Fuller

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith

Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Cole	Mr. Hawley	Mr. Williams	24

The bill entitled, "An act incorporating the Sackets Harbor and Saratoga Railroad Company" was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence	
Mr. Betts	Mr. Floyd	Mr. Little	
Mr. Bokee	Mr. Fox	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Tamplin	
Mr. Burch	Mr. Geddes	Mr. Treadwell	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cook	Mr. Hawley	Mr. Wilkin	
Mr. Cornwell	Mr. Johnson		28

FOR THE NEGATIVE.

Mr. Clark	Mr. Cole	Mr. Smith	3
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The bill entitled, "An act to amend the charter of the Attica and Hornellsville Railroad Company, passed May 14, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cornwell	Mr. Lawrence	
Mr. Betts	Mr. Fine	Mr. Martin	
Mr. Bokee	Mr. Floyd	Mr. Smith	
Mr. Bond	Mr. Fox	Mr. Tamplin	
Mr. Brownson	Mr. Fuller	Mr. Treadwell	
Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Hawley	Mr. Williams	
Mr. Cook	Mr. Johnson		26

FOR THE NEGATIVE.

Mr. Cole			1
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The bill entitled, "An act for the more effectual protection of the property of married women," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Coffin	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cook	Mr. Hawley	Mr. Williams
Mr. Cornwell	Mr. Johnson	

23

## FOR THE NEGATIVE.

Mr. Clark

1

The bill entitled, "An act to amend an act entitled, 'An act to authorize the formation of railroad corporations,' " was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bond	Mr. Cornwell	Mr. Lawrence
Mr. Brownson	Mr. Fine	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. Geddes	Mr. Whallon

21

## FOR THE NEGATIVE.

Mr. Floyd

Mr. Smith

2

*Ordered*, That the Clerk deliver the last five mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act in relation to the mayors' court of the city of Rochester," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. Geddes	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

23

FOR THE NEGATIVE.

Mr. Tamblin

1

The bill from the Assembly entitled, "An act to amend an act to incorporate the village of Madison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	

17

FOR THE NEGATIVE.

Mr. Cook	Mr. Geddes	Mr. Whallon
Mr. Fine	Mr. Tamblin	Mr. Williams
Mr. Fox	Mr. Treadwell	

8

The bill from the Assembly entitled, "An act in relation to the Tonawanda Railroad Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Tamblin

Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Fuller  
Mr. Hawley  
Mr. Johnson  
Mr. Lawrence

Mr. Whallon  
Mr. Wilkin  
Mr. Williams

23

## FOR THE NEGATIVE.

Mr. S. H. P. Hall

1

*Ordered,* That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled, "An act to authorise certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," with the engrossed amendments, was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Lawrence

Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

25

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The Assembly returned the bill entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New York," with a message informing that they had amended the certificate of the final passage thereof, in conformity with the resolution of the Senate relating thereto.

The Assembly returned the bill entitled, "An act authorising the removal of a turnpike gate in the town of Cobleskill," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered,* That the same be delivered to the Governor.  
Then the Senate took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

Mr. Ayrault, from the committee on banks and insurance companies, reported for the consideration of the Senate the bill entitled, "An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," which was committed to the committee of the whole.

(See Senate Bill No. 182.)

Mr. Fox, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the town of Schuyler Falls from the town of Plattsburgh," which was committed to the committee of the whole.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill entitled, "An act for the formation of banks," and Mr. S. H. P. Hall, from said committee, reported said bill with amendments.

The first section of said bill as reported by said committee, was read in the words following, to wit :

§ 1. It shall be lawful for any person, a citizen of the United States and a resident of this state, or any number of persons associated, a majority of whom shall reside within this state, and be citizens of the United State to establish an office of discount, deposite and circulation upon the terms and conditions, and subject to the liabilities hereinafter prescribed, but the aggregate amount of the capital to be actually paid in and employed in the business of any such bank hereby created except a bank provided for in the twenty-first section of this act, shall not be less than one hundred thousand dollars, nor more than one million dollars, unless located in the city of New-York ; but no bank, except the bank provided for in the twenty-first section of this act, formed under the provisions of this act, and located in the city and county of New-York, shall have a less capital than five hundred thousand dollars, nor more than three millions ; nor in any other of the cities of this state with a less capital than one hundred and fifty thousand dollars. The business of banking of any such bank as hereinafter defined, shall be carried on at the place where said bank shall be located, and not elsewhere.

Mr. Cole moved to amend the report of said committee by striking out of the 8th line of said section the word "one," and inserting in lieu thereof the word "two ;" also by striking out of the 14th line of said section the word "one," and inserting in lieu thereof the word "two ;" a so by striking out of said line the words "and fifty."

A division of said motion having been called for,

The President put the question upon agreeing to the first branch of said motion, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Cole	Mr. Little	Mr. Wilkin	
Mr. Hawley			4

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Fox	Mr. Smith	
Mr. Betts	Mr. Fuller	Mr. Tamblin	
Mr. Bokee	Mr. Geddes	Mr. Treadwell	
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Clark	Mr. Johnson	Mr. Williams	
Mr. Cook	Mr. Martin		17

The President then put the question upon agreeing to the remainder of said motion, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cornwell	Mr. Martin	
Mr. Bokse	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Tamblin	
Mr. Cook	Mr. Little	Mr. Wilkin	12

FOR THE NEGATIVE.

Mr. Betts	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Clark	Mr. Treadwell	Mr. Williams	
Mr. Geddes			7

Then the Senate adjourned until ten o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., MARCH 30, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

On motion of Mr. Bush, and by unanimous consent,

*Resolved*, That a respectful message be transmitted to the Assembly, requesting them to transmit to the Senate the bill entitled, "An act in relation to the Tonawanda Railroad Company."

Mr. Ayrault presented the memorial of citizens of Ontario county for courts of conciliation, which was referred to the committee on the judiciary.

Mr. Cole presented the memorial of John Greig, agent of the Hornby estate, and of Joseph Fellows, agent of the Pultney estate, in the State of New-York, against the passage of the bill to subject certain debts owing to non-residents to taxation, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Lawrence presented the petition of Theresina Jauncey for the passage of a law to enable her to hold and convey real estate, which was referred to the committee on the judiciary.

Mr. Brownson presented the petition of the Attica and Buffalo railroad company for an act to extend the time to relay the track of said road, which was referred to the committee on railroads.

Mr. W. Hall presented the petition of J. D. Morgan and others for the passage of a general law for the formation of savings banks, which was laid on the table.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of concurring with the Assembly in their amendments to the bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," which report was agreed to by the Senate, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	Mr. Wilkin
Mr. Cernwell	Mr. Johnson	Mr. Williams

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments thereto, and have amended the same accordingly.

Mr. Wilkin, from the committee on the judiciary, reported adversely to several petitions of inhabitants of Greene, Jefferson and Madison counties, to prohibit the sale of intoxicating liquors, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Wilkin, from the same committee, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act relative to the proof of the statute, and common law, of other states and territories," which was committed to the committee of the whole.

Mr. Lawrence, from the committee on grievances, reported in favor of the passage of the concurrent resolutions from the Assembly relative to the French spoliations, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

Mr. Treadwell, from the committee on roads and bridges, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to authorise the president, directors and first company of the great western turnpike road to construct a plank road and for other purposes," and with the title altered by striking out thereof the words "and for other purposes," which amendments, by unanimous consent, were ordered engrossed, and said bill to a third reading.

Mr. Floyd, from the committee on grievances, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the tax on dogs in Queens county," which was committed to the committee of the whole.

Mr. Lawrence, from the majority of the committee on grievances, reported in writing adversely to the passage of the bill from the Assembly entitled, "An act in relation to the quarantine establishment on Staten Island," also to the several petitions on the same subject, which bill was committed to the committee of the whole, and said report laid on the table.

(See Senate Doc. No. 62.)

Mr. Floyd, from the minority of the same committee, reported in writing, and asked for and obtained leave to bring in a bill entitled, "An act concerning the removal of the Quarantine Hospital from Staten Island," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Doc. No. 61, and Senate Bill No. 187.)

*Ordered*, That said reports be made the special order for Tuesday next.

A motion to print five times the usual number of copies of said reports of the majority and minority of the said committee, was referred to the committee on public printing.

Mr. Lawrence, from the committee on finance, reported adversely to the passage of the bill entitled, "An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," which was committed to the committee of the whole.

(See Senate Bill No. 188.)

Mr. Clark, from the committee on manufactures, reported in favor of the passage of the bill from the Assembly entitled, "An act to regulate the weight of salt," which was committed to the committee of the whole.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek, and to extend the town dock," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the Canal Board to assume in behalf of the State the Dansville slip and basin," which was committed to the committee of the whole.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act for the relief of Joseph G. Case," also

"An act to build a jail in the village or city of Oswego, as the case may be," also

"An act to grant to John Harrison Kirby the right to hold and convey real estate."

Mr. Wilkin, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled, "An act to enable Jane Mary Jauncey and others to take and hold real estate," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

Mr. Lawrence, from the committee on finance, reported in writing adversely to the passage of the concurrent resolutions relative to the tracts of land in the counties of Allegany and Steuben known as the Hornby and Pultney lands, which report was laid on the table.

(See Senate Doc. No. 60)

Mr. Coffin, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of seven several bills with the following titles, to wit:

"An act to enable Jane Mary Jauncey and others to take, hold and convey real estate," also

"An act to provide for filling vacancies in the office of district attorney," also

"An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," also

"An act concerning the office of district attorney of the county of Sullivan," also

"An act to amend an act entitled, 'An act to authorise the laying out of a road from Newkirks mills to Piseco village,' " also

"An act to authorise the formation of the Niagara Suspension Bridge House Company," also

"An act to divide the town of Lyme and to erect the town of Cape Vincent in the county of Jefferson," also five several bills from the Assembly with the following titles, to wit:

"An act for the construction of a bridge from State-street to the pier in the city of Albany," also

"An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," also

"An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," also

"An act requiring the county judge of the county of Queens to keep books of general indices," also

"An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill from the Assembly entitled, "An act requiring the county judge of the county of Queens to keep books of general indices," be referred to a select committee consisting of Messrs. Floyd, Brownson and Frost, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," be referred to a select committee consisting of Messrs. Little, Smith and Bokee, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," be referred to a select committee consisting of Messrs. Ayrault, Cornwell and Treadwell, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act for the construction of a bridge from State-street to the pier in the city

of Albany," be referred to a select committee consisting of Messrs Treadwell, Martin and Williams, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," be referred to a select committee consisting of Messrs. Betts, Fox and Johnson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to divide the town of Lyme and to erect the town of Cape Vincent in the county of Jefferson," be referred to a select committee consisting of Messrs. Brownson, Tamblin and Johnson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to authorise the formation of the Niagara Suspension Bridge House Company," be referred to a select committee consisting of Messrs. Bush, Floyd and Treadwell, to consider and report complete.

*Ordered*, That the bill entitled, "An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirks mills to Piseco village,'" be referred to a select committee consisting of Messrs. Geddes, Little and W. Hall, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," be referred to a select committee consisting of Messrs. Fuller, W. Hall and Betts, to consider and report complete.

*Ordered*, That the bill entitled, "An act to provide for filling vacancies in the office of district attorney," be referred to a select committee consisting of Messrs. Fine, Bush and Fox, to consider and report complete.

*Ordered*, That the bill entitled, "An act concerning the office of district attorney of the county of Sullivan," be referred to a select committee consisting of Messrs. Wilkin, Smith and Brownson, to consider and report complete.

*Ordered*, That the bill entitled, "An act to enable Jane Mary Jauncey and others to take and hold real estate," be referred to a select committee consisting of Messrs. Fine, Coffin and Bokee, to consider and report complete.

Afterwards,

Mr. Fine, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Said bill was reported as correctly engrossed.

Mr. Whallon, from the select committee, reported complete the bill entitled, "An act to erect the town of North Hudson in the county of Essex," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete, with amendments, the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route," and with the title thereof altered so as to read as follows: "An act to declare the public use of a railroad from Syracuse

to Rochester on the most direct and eligible route," which report was laid on the table.

Mr. Johnson, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin county Mutual Insurance Company,' passed May 12, 1836," and with the title thereof altered so as to read as follows: "An act in relation to the business of mutual insurance companies," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Frost, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act in relation to justices and police courts in the city of New-York."

Mr. Hawley moved to amend the report of said committee by striking out the third section of said bill, and inserting in lieu thereof, as follows:

§ 3. There shall be elected in each of said districts a clerk of the justices court for said district, and a clerk for the police courts established by this act, whose terms of office shall commence on the second Tuesday of May next and continue for four years thereafter, and whose compensation shall be fixed by the common council of the city of New-York, and paid out of the treasury of said city.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Geddes	Mr. Smith	
Mr. Fine	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Floyd	Mr. Hawley	Mr. Whallon	9

#### FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence	
Mr. Bokee	Mr. Cook	Mr. Little	
Mr. Bond	Mr. Cornwell	Mr. Martin	
Mr. Brownson	Mr. Fox	Mr. Treadwell	
Mr. Bush	Mr. Frost	Mr. Wilkin	
Mr. Clark	Mr. Fuller	Mr. Williams	
Mr. Coffin	Mr. Johnson		20

The report of said committee was then agreed to, and said amendments ordered engrossed, and said bill to a third reading.

The Senate then proceeded to the consideration of the report of the select committee upon the bill from the Assembly entitled, "An act in relation to the Madison University," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the select committee, reported complete the bill entitled, "An act to incorporate the Binghamton Savings

Bank in the county of Broome," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Tamblin, from the select committee, reported complete the bill entitled, "An act to incorporate the Black River Steamboat Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Geddes,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to continue in force the act passed February 24, 1809, entitled 'An act to authorise Jonas C. Baldwin to erect a dam across the Seneca river,'" and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Geddes, W. Hall and Whallon, be said committee.

On motion of Mr. Hawley.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to subject to taxation certain debts owing by residents of this State to non-residents of the United States," and that the same, together with the petitions and remonstrances on that subject, be referred to a select committee.

*Ordered*, That Messrs. Hawley, Brownson and Treadwell, be said committee.

On motion of Mr. Ayrault,

*Ordered*, That the Senate will hold a session this evening at 7 o'clock, for the purpose of considering the report of the committee of the whole upon the bill entitled, "An act for the formation of banks."

On motion of Mr. Williams, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," and that the same be ordered to a third reading.

On motion of Mr. Ayrault,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to authorise the Canal Board to assume in behalf of the State the Dansville slip and basin," and that the same referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Ayrault, Smith and Brownson, be said committee.

On motion of Mr. Cornwell,

*Ordered*, That when the Senate take a recess at 2 o'clock P. M., they will take a recess until 7 o'clock P. M.

On motion of Mr. Fuller,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act providing for the election of city superintendents of common schools

of the city of Rochester by the electors of said city," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fuller, W. Hall and Geddes be said committee.

Mr. Wilkin moved that the bills entitled, "An act to repeal two certain acts for the benefit and relief of Francis Englishbee," also "An act for the relief of the creditors of William James St. John, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," be made the special order for Saturday next, which motion was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Fine	Mr. Treadwell
Mr. Bush	Mr. Fox	Mr. Wilkin
Mr. Coffin	Mr. Frost	Mr. Williams
Mr. Cole		

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**FOR THE NEGATIVE.**

Mr. Ayrault	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Floyd	Mr. Little	

14

Mr. Wilkin also moved that the bill entitled, "An act to continue the compensation of the chancellor and justices of the supreme court," also "An act for the permanent establishment of the Normal School," be made the special order for Wednesday next, which motion was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Coffin	Mr. Fuller	Mr. Whallon
Mr. Cole	Mr. W. Hall	Mr. Wilkin
Mr. Cook	Mr. Lawrence	Mr. Williams
Mr. Cornwell	Mr. Little	

23

**FOR THE NEGATIVE.**

Mr. Burch	Mr. S. H. P. Hall
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2

A bill was received from the Assembly for concurrence entitled, "An act relating to bills of exchange and promissory notes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A message was received from the Governor, informing that he had approved and signed two several bills with the following titles, to wit:

"An act authorising the removal of a turnpike gate in the town of Cobleskill," also

"An act to amend an act entitled, 'An act to incorporate the village of Clinton,' passed April 12, 1848."

The Assembly returned the bill entitled, "An act to levy a tax upon the town of Hornellsville," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The bill entitled, "An act for the relief of Joseph G. Case," was read the third time and passed; a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Cook	Mr. S. H. P. Hall	Mr. Williams
Mr. Cornwell	Mr. Hawley	20

FOR THE NEGATIVE.

Mr. Brownson	Mr. Cole	Mr. Smith
Mr. Bush	Mr. W. Hall	5

The bill entitled, "An act to build a jail in the city of Oswego," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin

Mr. Bond	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	Mr. Williams
Mr. Cook	Mr. Hawley	

26

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act in relation to justices and police courts in the city of New-York," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokes	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin		

19

## FOR THE NEGATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Fine	Mr. Hawley	Mr. Whallon

6

*Ordered*, That the Clerk return the said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to authorise the president, directors and first company of the great western turnpike road to construct a plank road, and for other purposes," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cook	Mr. W. Hall	Mr. Whallon
Mr. Cornwell	Mr. Lawrence	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate has passed the same with the amendments therewith delivered.

The bill entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. W. Hall
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. Geddes	Mr. Williams
Mr. Cole	Mr. S. H. P. Hall	23

FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd	Mr. Little	8
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Afterwards,

Mr. Hawley asked leave to have his name recorded in the affirmative upon the final passage of said bill, to which objection was made.

The bill entitled, "An act to enable Jane Mary Jauncey, James Jauncey and William Jauncey, to take and hold real estate, and to release the interest of the State in said real estate to the said Jane Mary Jauncey, James Jauncey and William Jauncey," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. W. Hall	26

The bill entitled, "An act to grant to John Harrison Kirby the right to hold and convey real estate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. Geddes	Mr. Williams

24

*Ordered*, That the Clerk deliver the last two mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to erect the town of New Bremen from the towns of Watson and Croghan in the county of Lewis," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Smith
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Little	Mr. Williams
Mr. Cole	Mr. Martin	

20

## FOR THE NEGATIVE.

Mr. Geddes	Mr. S. H. P. Hall
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2

The bill from the Assembly entitled, "An act to release Silas Olmstead from a judgment obtained against him in favor of the State of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Bush	Mr. Fox	Mr. Treadwell
Mr. Clark	Mr. Frost	Mr. Whallon
Mr. Coffin	Mr. Geddes	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Barch 1

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act in relation to the Madison University," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Cole	Mr. Geddes	Mr. Williams
Mr. Cook	Mr. W. Hall	

14

FOR THE NEGATIVE.

Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Clark	Mr. S. H. P. Hall	Mr. Smith

9

Mr. Fuller moved a reconsideration of the vote just taken on the final passage of said bill which motion was laid on the table.

Then the Senate took a recess until 7 o'clock P. M.

7 O'CLOCK P. M.

The Senate again met.

The Senate then, pursuant to order, proceeded to the further consideration of the report of the committee of the whole upon the bill entitled, "An act for the formation of banks."

Mr. Hawley moved to amend the report of the said committee by striking out of the 21st section of said bill the following words :

"Or to allow individual banks or banking associations deriving their circulation by depositing the amount thereof with the comptroller, to withdraw more than one-third part thereof, upon organising under the provisions of this act ; and if at the end of the year from the time of such organisation, the comptroller, upon examination shall be satisfied that said bank has in all respects, pursued the legitimate business of banking according to the provisions of this act, then said bank may withdraw another one-third part of said securities, so as aforesaid deposited, and at the end of the second year, if the like examination shall evidence the like results, said bank may withdraw the balance of said securities, except ten per cent, as required in the thirteenth section of this act."

The President put the question upon agreeing to said motion, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Floyd	Mr. Hawley	Mr. Williams	9

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Frost	Mr. Little	
Mr. Boker	Mr. Fuller	Mr. Martin	
Mr. Brownson	Mr. W. Hall	Mr. Tamblin	
Mr. Bush	Mr. Johnson	Mr. Wilkin	
Mr. Coffin	Mr. Lawrence		14

Mr. Williams moved to amend the report of said committee by striking out of the 21st section of said bill the words, "and stockholders owning two-fifths of the stock of said bank not dissenting therefrom," and inserting in lieu thereof the words, "all the stockholders or their representatives assenting thereto," which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cornwell	Mr. Hawley	Mr. Williams	
Mr. Floyd			10

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Clark	Mr. Lawrence
Mr. Bokee	Mr. Coffin	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Bush	Mr. Johnson	

14

Mr. Williams then moved to amend the report of said committee by striking out of said section the words, "discharged in full all its legal obligations to the safety fund," and inserting in lieu thereof the words, "paid in full to the safety fund the half per cent per annum up to the end of the time for which it was chartered."

The President put the question upon agreeing to said motion, and the vote thereon was as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cook	Mr. Hawley	Mr. Whallon
Mr. Cornwell	Mr. Johnson	Mr. Williams
Mr. Floyd		

13

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Lawrence
Mr. Bokee	Mr. Cole	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Bush		

13

The ayes and noes being equally divided,

The President gave the casting vote in the affirmative.

Mr. Cole moved a reconsideration of the vote just taken, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. Johnson	Mr. Williams
Mr. Coffin		

16

## FOR THE NEGATIVE.

Mr. Betts	Mr. Geddes	Mr. Smith	
Mr. Clark	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Cook	Mr. W. Hall	Mr. Treadwell	
Mr. Floyd	Mr. Hawley	Mr. Whallon	12

The President then again put the question upon agreeing to said last mentioned motion of Mr. Williams, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Johnson	
Mr. Bond	Mr. Fuller	Mr. Smith	
Mr. Clark	Mr. Geddes	Mr. Treadwell	
Mr. Cook	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cornwell	Mr. Hawley	Mr. Williams	15

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Lawrence	
Mr. Bokee	Mr. Cole	Mr. Little	
Mr. Brownson	Mr. Frost	Mr. Martin	
Mr. Bush	Mr. W. Hall	Mr. Wilkin	12

Mr. Williams then moved to amend the report of said committee by inserting in said bill an additional section, as follows :

§ 26. It shall be the duty of the comptroller whenever the ten per cent fund shall become impaired to the amount of fifty per cent, by reason of the failure of any bank, hereby created, to require a further contribution of all the existing banks, doing business under this act, ratably in proportion to their capital, a sum sufficient to replenish the same, so as always to keep said fund of ten per cent unimpaired.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Bokee	Mr. Hawley	Mr. Treadwell	
Mr. Cook	Mr. Johnson	Mr. Whallon	
Mr. Floyd	Mr. Smith	Mr. Williams	
Mr. Geddes			13

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. W. Hall
Mr. Bond	Mr. Cole	Mr. Lawrence
Mr. Brownson	Mr. Cornwell	Mr. Little
Mr. Bush	Mr. Frost	Mr. Martin
Mr. Clark	Mr. Fuller	

14

Mr. Geddes moved to amend the report of said committee by adding at the end of the 24th section as follows :

"And if the security fund shall continue to be impaired, then the solvent banks organised under this act shall, in proportion to their capital, repair and fill up the same.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cook	Mr. Hawley	Mr. Williams
Mr. Floyd	Mr. Smith	

11

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Frost	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark		

16

The Assembly returned the bill entitled, "An act in relation to justices and police courts in the city of New-York," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*; That the clerk return the same to the Assembly.

Then the Senate adjourned until ten o'clock to-morrow morning.

FRIDAY, 10 O'CLOCK A. M., MARCH 31, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford.

The Journal of yesterday was read and approved.

Mr. Whallon presented five several remonstrances against bridging lake Champlain at Rouse's point, which was referred to the select committee having the bill on that subject in charge.

Mr. Little presented the petition, affidavits, resolutions, &c., in relation to the division of the town of Butternuts, which was referred to the committee of the whole when upon the bill on that subject.

Mr. Little, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the canal department."

Mr. Cole moved to refer said bill to the Commissioners of the Canal Fund, which motion was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Mr. Coffin	Mr. Cornwall	Mr. Geddes	
Mr. Cole	Mr. Fox	Mr. W. Hall	
Mr. Cook	Mr. Frost	Mr. Treadwell	9

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Clark	Mr. Lawrence	
Mr. Betts	Mr. Fine	Mr. Little	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Smith	
Mr. Brownson	Mr. Hawley	Mr. Tamblin	
Mr. Bush	Mr. Johnson	Mr. Williams	18

The report of said committee was then agreed to, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported adversely to the passage of the bill entitled, "An act to provide for the election of loan commissioners by the people," which report was agreed to by the Senate.

Mr. Lawrence, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act for the relief of the purchasers of the fortification block No. 2, West Oswego," which was committed to the committee of the whole.

On motion of Mr. Floyd,

*Ordered*, That the committee on grievances be discharged from the further consideration of the several petitions for the passage of a law to suppress the sale of intoxicating drinks, and that the same be laid on the table.

Mr. Fine, from the select committee, reported complete the bill entitled, "An act to provide for filling vacancies in the office of district attorney," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act providing for the election of city superintendent of common schools of the city of Rochester by the electors of said city," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Goddes, from the select committee, reported complete the bill entitled, "An act to continue in force the act passed February 24, 1809, entitled, 'An act to authorize Jonas C. Baldwin to erect a dam across the Seneca river,'" which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Floyd, from the select committee, reported complete the bill from the Assembly entitled, "An act requiring the county judge of Queens county to keep a book of general indices," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Beits, from the select committee, reported complete the bill from the Assembly entitled, "An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Ayrault, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to assume in behalf of the State the Dansville slip and basin," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Treadwell, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act for the construction of a bridge from State-street to the pier in the city of Albany," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Ayrault, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to autho-

rise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Bush, from the select committee, reported complete the bill entitled, "An act to authorise the formation of the Niagara Suspension Bridge House Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Brownson, from the select committee, reported complete the bill entitled, "An act to divide the town of Lyme and to erect the town of Cape Vincent in the county of Jefferson," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of two several bill from the Assembly with the following titles, to wit :

"An act to amend the act entitled, 'An act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads,' passed May 7, 1847," also

"An act to levy a tax upon the town of Marbletown for the payment of a balance due John R. Cole for building a bridge," which were severally committed to the committee of the whole.

Mr. Floyd, from the committee on engrossed bills, reported as correctly engrossed five several bills with the following titles, to wit :

"An act to continue in force the act passed February 24, 1809, entitled 'An act to authorise Jonas C. Baldwin to erect a dam across the Seneca river,'" also

"An act to erect the town of North Hudson in the county of Essex," also

"An act to enable the town of Day to raise money to build a bridge," also

"An act to authorise the foreclosure of bank mortgages," also

"An act to incorporate the New-York and Savannah Steam Navigation Company."

By unanimous consent,

Mr. Johnson introduced a bill entitled, "An act to amend and in addition to an act entitled, 'An act to authorise the formation of railroad corporations,'" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Johnson, Cornwell, Whallon, Martin and Geddes.

Mr. Tamblin offered the following concurrent resolutions, which were read and laid on the table :

*Resolved*, (if the Assembly concur,) That we, the Representatives of the people of the State of New-York, convened in Senate and Assembly, in the name and on behalf of the people of the State, express to the citizens of the Republic of France, and to the members of the Provisional Government, our ardent congratulations on the achievement of their liberties, and the blessings of free government. That the ability, magnanimity and firmness manifested by

the people in a fearful and trying crisis, inspire us with the most profound admiration, and with a happifying confidence that these characteristics of a great and noble minded people will secure the firm establishment of free and enlightened institutions for the protection of those inestimable rights of man, which have been so heroically won. That ever mindful of the past, when French and American blood was mingled on the battle fields of America, in the sacred cause of liberty, the unfeigned gratitude to our efficient allies, inspired by the events of our struggle for liberty, must be greatly heightened by a sympathy, inspired by a similarity of sentiments, and of civil and political institutions. That the Republic of France may long endure; that her citizens may forever enjoy those rights and privileges which are essential to the dignity and happiness of man; and that the wisdom of her counsels may form a new assurance of the utility of popular governments, is the most ardent desire of the people of this State.

*Resolved*, (if the Assembly concur,) That these resolutions be signed by the President of the Senate and the Speaker of the Assembly, and that the Governor be requested to forward the same to the Secretary of State of the United States, with a request that the same be transmitted to the constituted authorities of the French Republic.

The report of the Attorney General in answer to a resolution of the Senate relative to the location of the Hudson river railroad through the lands belonging to the State at Sing Sing was received, and referred to the committee on railroads.

(See Senate Doc. No. 64.)

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to organise the State Lunatic Asylum and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1842," with a message informing that they do insist upon their amendments to said bill.

Thereupon,

*Resolved*, That said bill be returned to the Assembly, with a message informing that the Senate request a committee of conference upon the amendments thereto, and in case the Assembly consent thereto, that Messrs. Cook, Smith and Coffin, be said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly.

The Assembly returned the bill entitled, "An act to authorise the president, directors and first company of the great western turnpike road to construct a plank road, and for other purposes," with a message informing that they had concurred with the Senate in their amendments to said bill, and to the title thereof by striking out thereof the words "and for other purposes," and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to authorize certain owners of real estate in the city of Brooklyn to construct bulkheads and wharves in front of their lands and to fill in the same," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A message was received from the Governor, informing that he had approved and signed four several bills with the following titles, to wit:

"An act to incorporate the Utica Waterworks Company," also

"An act for the election of certain officers in the city of Schenectady by the electors thereof and to regulate the police of said city," also

"An act to levy a tax on the town of Hornellsville," also

"An act to amend an act entitled, 'An act to provide for the appointment of commissioners of deeds in the cities of this State,' passed March 7, 1848, as far as the second section of the act hereby amended applies to the city of New-York."

Mr. Coffin, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of nineteen several bills with the following titles, to wit:

"An act authorising the appraisal and payment of canal damages to Henry B. Opp," also

"An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1841, and for other purposes," also

"An act to regulate the weight of sack salt," also

"An act in relation to the tax on dogs in Queens county," also

"An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844;" also

"An act to amend the act in relation to the village of Batavia, passed April 22, 1844;" also

"An act to authorise the Maspeth Avenue and Toll Bridge Company to charge toll on foot passengers in certain cases," also

"An act in relation to the proceedings pending before the circuit judges," also

"An act in relation to documentary evidence," also

"An act to change the name of Charles Dexter Beers to Charles Dexter Gambril," also

"An act to provide for taking acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," also

"An act for the relief of the purchasers of the old fortification block No. 2, West Oswego," also

"An act to amend an act entitled, 'An act in relation to the trustees of the Seamens' Fund and Retreat in the city of New-York,' passed March 17, 1843," also

"An act in relation to the first school district in the city of Troy," also

"An act relating to the salary and term of office of the county treasurer of the county of Kings," also

"An act to divide school district No. 13 in the town of Newburgh," also

"An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 23, 1843," also

"An act to erect the town of Schuyler Falls from the town of Plattsburgh," also

"An act to provide for filling the vacancy in the office of justice of the municipal court in the city of Brooklyn," also of six several bills with the following titles, to wit :

"An act for the relief and benefit of the Cambridge Washington Academy," also

"An act to pay John R. Green the avails of certain escheated lands," also

"An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings," also

"An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," also

"An act to incorporate the New-York and Staten Island Steam Ferry Company," also

"An act to incorporate the East River Savings Bank," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill entitled, "An act to incorporate the East River Savings Bank," be referred to a select committee consisting of Messrs. Frost, Smith and Little, to consider and report complete.

*Ordered*, That the bill entitled, "An act to incorporate the New-York and Staten Island Steam Ferry Company," be referred to a select committee consisting of Messrs. Lawrence, Floyd and Bokes, to consider and report complete.

*Ordered*, That the bill entitled, "An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," be referred to a select committee consisting of Messrs. Bokes, Cook and Frost, to consider and report complete.

*Ordered*, That the bill entitled, "An act to pay John R. Green the avails of certain escheated lands," be referred to a select committee consisting of Messrs. Cook, Clark and Ayrault, to consider and report complete.

*Ordered*, That the bill entitled, "An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings," be referred to a select committee consisting of Messrs. Bokee, Betts and Clark, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief and benefit of the Cambridge Washington Academy," be referred to a select committee consisting of Messrs. Cole, Tamblin and Bush, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for filling the vacancy in the office of justice of the municipal court in the city of Brooklyn," be referred to a select committee consisting of Messrs. Williams, Wilkin and Martin, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to erect the town of Schuyler Falls from the town of Plattsburgh," be referred to a select committee consisting of Messrs. Fox, Coffin and Whallon, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 23, 1843," be referred to a select committee consisting of Messrs. S. H. P. Hall, Clark and Martin, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled; "An act to divide school district No. 13 in the town of Newburgh," be referred to a select committee consisting of Messrs. Smith, Wilkin and Treadwell, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act relating to the salary and term of office of the county treasurer of the county of Kings," be referred to a select committee consisting of Messrs. Cole, Bokee and Tamblin, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the first school district in the city of Troy," be referred to a select committee consisting of Messrs. Fox, Cole and Burch, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the trustees of the Seamen's Fund and Retreat in the city of New-York,' passed March 17, 1843," be referred to a select committee consisting of Messrs. Johnson, Whallon and Fuller, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act for the relief of the purchasers of the old fortification block No. 2, West Oswego," be referred to a select committee consisting of Messrs. Bond, Fox and Johnson, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," be referred to a select committee consisting of Messrs. Wilkin, Hawley and Cornwell, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the proceedings pending before the late circuit judges," be referred to a select committee consisting of Messrs. Fine, Bond and Cole, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to change the name of Charles Dexter Beers to Charles Dexter Gambriel," be referred to a select committee consisting of Messrs. Little, Martin and Williams, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to documentary evidence," be referred to a select committee consisting of Messrs. Bush, Betts and Martin, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to authorise the Maspeth Avenue and Toll Bridge Company to charge toll on foot passengers in certain cases," be referred to a select committee consisting of Messrs. Lawrence, Bush and Floyd, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to amend the act in relation to the village of Batavia, passed April 2, 1844," be referred to a select committee consisting of Messrs. Cole, S. H. P. Hall and Little, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844," be referred to a select committee consisting of Messrs. Fuller, S. H. P. Hall and Hawley, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the tax on dogs in Queens county," be referred to a select committee consisting of Messrs. Floyd, Clark and Cole, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to regulate the weight of sack salt," be referred to a select committee consisting of Messrs. Geddes, Hawley and Frost, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," be referred to a select committee consisting of Messrs. Lawrence, Ayrault and Fine, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Henry B. Opp," be referred to a select committee consisting of Messrs. Brownson, Betts and Johnson, to consider and report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise twenty-five thousand dollars by loan and to fund the same," and that the same be referred to a select committee consisting of Messrs. Johnson, Ayrault and Betts, to consider and report complete.

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route."

Without taking any question thereon,  
The Senate then took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The Senate then proceeded to the further consideration of the report of the select committee upon the bill entitled, "An act to provide for the construction of a railroad from Rochester to Syracuse on the most direct and eligible route," which report was agreed to by the Senate, and said bill ordered to a third reading.

A communication was received from the Commissioners of the Land Office, which was read and referred to the committee on the militia.

On motion of Mr. Fuller,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act authorising a certiorari in certain cases," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fuller, Clark, Bond, Fine and Bokee, be said committee.

On motion of Mr. Little,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act authorising the appointment of a deputy and employment of clerks in the State Engineer and Surveyor General's office," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Little, Hawley and Cook, be said committee.

*Ordered*, That the bill entitled, "An act for the formation of banks," be made the special order for Thursday next.

Afterwards,

Mr. Bond moved to refer said bill to a select committee to consider and report complete.

The President put the question upon agreeing to said motion, and the vote thereon was as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cornwall	Mr. W. Hall
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Tamplin
Mr. Cole		

13

FOR THE NEGATIVE.

Mr. Betts	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. Hawley	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Cook	Mr. Smith	Mr. Williams
Mr. Floyd		

13

The ayes and noes being equally divided,  
The President gave the casting vote in the negative.

On motion of Mr. Smith,

*Ordered*, That the Senate will, to-morrow, proceed to the third reading of bills, pursuant to the 9th joint rule of the Senate and Assembly.

The bill entitled, "An act to erect the town of North Hudson in the county of Essex," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokée	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Tamplin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Cook	Mr. Hawley	Mr. Wilkin
Mr. Cornwall	Mr. Johnson	Mr. Williams
Mr. Fine		

23

FOR THE NEGATIVE.

Mr. Cole

1

The bill entitled, "An act authorising the foreclosure of bank mortgages," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	• Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Cook	Mr. Lawrence	

20

The bill entitled, "An act to enable the town of Day to raise money to build a bridge," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Cook		

22

The bill entitled, "An act to continue in force the act passed February 24, 1809, entitled "An act to authorise Jonas C. Baldwin to erect a dam across the Seneca river," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. Hawley	Mr. Treadwell
Mr. Cook	Mr. Johnson	Mr. Whallon
Mr. Cornwell		

22

*Ordered*, That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence therein.

The Senate then adjourned until ten o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK A. M., APRIL 1, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

The bill from the Assembly entitled, "An act for the construction of a bridge from State-street to the pier in the city of Albany," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. Hawley	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Clark	Mr. Lawrence	Mr. Williams
Mr. Cole		

23

The bill from the Assembly entitled, "An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Bokee	Mr. Fox	Mr. Tamblin
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Cook	Mr. Lawrence	

23

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed three several bills with the following titles, to wit:

"An act to incorporate the Binghamton Savings Bank in the county of Broome," also

"An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," also

"An act to provide for filling vacancies in the office of district attorney."

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to enlarge the powers of boards of supervisors,' passed May 18, 1838," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson	
Mr. Betts	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Tamblin	
Mr. Bush	Mr. Geddes	Mr. Treadwell	
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams	21

#### FOR THE NEGATIVE.

Mr. Cole		1
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The bill from the Assembly entitled, "An act in relation to the canal department," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence	
Mr. Betts	Mr. Floyd	Mr. Martin	
Mr. Bokee	Mr. Fox	Mr. Smith	
Mr. Bond	Mr. Fuller	Mr. Tamblin	
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Bush	Mr. Johnson	Mr. Williams	
Mr. Clark			19

#### FOR THE NEGATIVE.

Mr. Cole	Mr. Geddes	Mr. Treadwell	
Mr. Cook			4

The bill from the Assembly entitled, "An act to lay out and open a street on the pier on the east side of the basin at the city of Albany," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Cook	Mr. St. H. P. Hall	Mr. Whallon
Mr. Cornwell	Mr. Hawley	Mr. Williams
Mr. Fine		

19

FOR THE NEGATIVE.

Mr. Clark	Mr. Tamblin
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2

The bill from the Assembly entitled, "An act requiring the county judge of the county of Queens to keep books of general indices," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams

21

*Ordered,* That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin County Mutual Insurance Company,' passed May 12, 1836," with the engrossed amendments and new title, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Frost	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Williams
Mr. Cornwell		

19

The bill from the Assembly entitled, "An act providing for the election of city superintendent of common schools of the city of Rochester by the electors of said city," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Cornwell	Mr. Lawrence	Mr. Williams
Mr. Fine		

22

The bill from the Assembly entitled, "An act to authorise the Canal Board to assume in behalf of the State the Dansville slip and basin," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Fine	Mr. Johnson	

20

## FOR THE NEGATIVE.

Mr. Betts	Mr. Clark	Mr. Tamblin	3
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*Ordered*, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same severally with the amendments therewith delivered.

The bill entitled, "An act to incorporate the Binghamton Savings Institution in the county of Broome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

23

The bill entitled, "An act to provide for the construction of a railroad from Geneseo to the Genesee Valley canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cornwell	Mr. Hawley	Mr. Wilkin
Mr. Fine	Mr. Johnson	Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Betts	1
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The bill entitled, "An act to incorporate the New-York and Savannah Steam Navigation Company," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Hawley
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. Geddes	Mr. Treadwell

Mr. Clark  
Mr. Cornwell

Mr. S. H. P. Hall

Mr. Wilkin

19

**FOR THE NEGATIVE.**

Mr. Johnson

1

The bill entitled; "An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Bush  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

21

**FOR THE NEGATIVE.**

Mr. Clark

Mr. Smith

2

The bill entitled, "An act to provide for filling vacancies in the office of district attorney," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Bush  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Wilkin  
Mr. Williams

22

The bill entitled, "An act to incorporate the Black River Steam-boat Company," was read the third time and passed, a majority of

all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Whallon
Mr. Clark	Mr. Geddes	

20

## FOR THE NEGATIVE.

Mr. Johnson	Mr. Williams	2
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*Ordered*, That the Clerk deliver the last six mentioned bills to the Assembly, and request their concurrence therein.

The Senate then proceeded to the consideration of a motion heretofore made by Mr. Fuller to reconsider the vote taken upon the final passage of the bill from the Assembly entitled, "An act in relation to the Madison University," which motion was decided in the affirmative.

Said bill was then again read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Martin
Mr. Betts	Mr. Frost	Mr. Smith
Mr. Bokee	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Fine	Mr. Lawrence	

20

## FOR THE NEGATIVE.

Mr. Bond	Mr. Cornwell	Mr. S. H. P. Hall
Mr. Clark		

4

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act for the relief of the purchasers of old fortification block No. 2, West Oswego," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Wilkin
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Cole	Mr. S. H. P. Hall	

23

#### FOR THE NEGATIVE.

Mr. Smith

1

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Lawrence presented the petition of G. G. Howland and others for the passage of an act to incorporate the Pacific mail steamship company, which was referred to the committee on commerce and navigation.

Leave of absence was granted to Mr. Little for three days.

Mr. Cook presented the petition of citizens of St. Lawrence for a bridge across lake Champlain at Rouse's Point, which was referred to the select committee having said subject in charge.

Mr. Whallon presented six several remonstrances against bridging said lake, which were referred to the same committee.

Mr. Cook presented the petition of Wm. Hay and others, members of the legal profession, praying for the passage of a law that no judge shall take any part in the decision of a cause which he has once heard and decided, or which was tried before him at the circuit, which was referred to the committee on the judiciary.

Mr. Tamblin presented the petition of Naylor Childs praying for the passage of a law to protect certain rights in the centre lot in the town of Philadelphia, which was referred to the select committee

upon so much of the Governor's message as relates to landlords and tenants.

Mr. Bush presented the memorial of E. R. Jewett and T. M. Frost relative to the publication of a journal in this city, which was referred to a select committee consisting of Messrs. Bush, Fine and Williams.

Mr. Williams presented the petition of sundry inhabitants of the town of Wolcott in Wayne county for extending the survey of Jacks' Reef by the State Engineer to the town of Wolcott, which was referred to the committee on canals.

Mr. Cook, from the committee on the militia, reported a bill entitled, "An act relative to the State Arsenal in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and laid on the table.

Mr. Cornwell, from the committee on railroads, reported adverse to the passage of the bill entitled, "An act to regulate the location of the Hudson river railroad through the lands of the State at Sing Sing," which report was agreed to by the Senate.

Mr. Frost, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled, "An act to incorporate the Pacific Mail Steamship Company," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Lawrence, Whallon and Williams, to consider and report complete.

Mr. Bush, from the committee on agriculture, reported a bill entitled, "An act to amend an act incorporating the American Institute of the city of New-York, passed May 2, 1829, and for the purpose of establishing Agricultural Institutes in various sections of the State," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 189.)*

Mr. Wilkin, from the committee on the judiciary, reported a bill entitled, "An act authorising surrogates to invest surplus moneys arising from sales of real estate in certain cases," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

*(See Senate Bill No. 191.)*

Mr. Wilkin, from the same committee, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit:

"An act in relation to the recorder's court of the city of Buffalo," also

"An act relating to bills of exchange and promissory notes," which were severally committed to the committee of the whole.

Mr. Ayrault, from the committee on banks and insurance companies, reported in writing adversely to the passage of the bill entitled, "An act to replenish the Safety Fund," which report was laid on the table, and said bill committed to the committee of the whole.

(See Senate Bill No. 190, and Senate Doc. No. 65.)

Mr. Bokee, from select committees, reported complete two several bills with the following titles, to wit :

"An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," also

"An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Fine, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of the bill entitled, "An act making an appropriation to the Prison Association of New-York," and referring the same to a select committee to consider and report complete.

Thereupon,

Ordered, That Messrs. Fine, Lawrence and S. H. P. Hall be said committee.

Afterwards,

Mr. Fine, from said committee, reported said bill complete, with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cook, from the select committee, reported complete the bill entitled, "An act to pay John R. Green the avails of certain escheated lands," which was recommitted to the committee of the whole.

Mr. Cole, from the select committee, reported complete the bill entitled, "An act for the relief and benefit of the Cambridge Washington Academy," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act authorising a certiorari in certain cases," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Frost, from the select committee, reported complete the bill entitled, "An act to incorporate the East River Savings Bank," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill entitled, "An act to incorporate the New-York and Staten Island Steam Ferry Company," which report was agreed to by the Senate, and said bill to a third reading.

Mr. Fine, from the select committee, reported complete the bill from the Assembly entitled, 'An act in relation to the proceedings pending before the circuit judges,' which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to provide for taking acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Bush, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to documentary evidence," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Brownson, from the select committee, reported complete the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Henry B. Opp," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the select committee, reported complete the bill from the Assembly entitled, "An act to regulate the weight of sack salt," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for filling the vacancy in the office of justice of the municipal court in the city of Brooklyn," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 23, 1843," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Floyd, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the tax on dogs in Queens county," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Smith, from the select committee, reported complete the bill from the Assembly entitled, "An act to divide school district No. 13 in the town of Newburgh," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fox, from the select committee, reported complete two several bills from the Assembly with the following titles, to wit :

"An act to erect the town of Schuyler Falls from the town of Plattsburgh," also

"An act in relation to the first school district in the city of Troy," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Johnson, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act to amend an act entitled, 'An act in relation to the trustees of the Seamen's Fund and Retreat in the city of New-York,' passed March 17, 1843," also

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise twenty-five thousand dollars by loan and to fund the same," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Cole, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act relating to the salary and term of office of the county treasurer of the county of Kings," also

"An act to amend the act in relation to the village of Batavia, passed April 22, 1844," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Lawrence, from the select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," also

"An act to authorise the Maspeth Avenue and Toll Bridge Company to charge toll on foot passengers in certain cases," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

On motion of Mr. S. H. P. Hall,

*Ordered*, That Friday next be set apart for the consideration of bills relating to private claims.

On motion of Mr. Ayrault,

*Ordered*, That the bill entitled, "An act for the formation of banks," be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Ayrault, Fine, Adams, Tamblin and Geddes, be said committee.

On motion of Mr. Bond,

The Senate then proceeded to the consideration of a motion heretofore made to reconsider the vote taken upon agreeing with the report of the committee on canals upon the bill from the Assembly entitled, "An act to authorise the payment of the claim of John I. Walrath for canal damages," which motion was decided in the affirmative.

On motion of Mr. Bond,

Said bill was referred to the committee on claims.

Mr. Frost moved to discharge the committee of the whole from the further consideration of the bill entitled, "An act for the relief

of destitute families of seamen," and to refer the same to a select committee to consider and report complete, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Frost	Mr. Treadwell	
Mr. Fine	Mr. Lawrence	Mr. Wilkin	6

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cook	Mr. S. H. P. Hall	
Mr. Bokee	Mr. Cornwell	Mr. Hawley	
Mr. Bond	Mr. Floyd	Mr. Johnson	
Mr. Bush	Mr. Fuller	Mr. Martin	
Mr. Clark	Mr. Geddes	Mr. Smith	15

On motion of Mr. Fuller,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act in respect to the funds and securities in the possession of the clerk of the court of appeals," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fuller, Johnson, Fine, Smith and Bush, be said committee.

Mr. Fuller offered the following resolution, which was read and laid on the table :

*Resolved*, That the text and notes of the report of the commissioners on practice and pleadings be corrected to correspond with the amendments made by the Legislature, and that five times the usual number of copies thereof be printed for the use of the Legislature, and two hundred extra copies for the use of the commissioners, if in the opinion of the Clerk the charge therefor is not too high.

On motion of Mr. Fuller,

*Resolved*, That the Clerk of the Senate be directed to inquire and report whether any numbers of the report of the commissioners on practice and pleadings are sent to New-York or any other place to sell, instead of being furnished to members of the Legislature.

On motion of Mr. Wilkin,

*Ordered*, That two several bill with the following titles, to wit :

"An act to repeal two certain acts for the benefit and relief of Francis Englishbee," also.

"An act for the relief of the creditors of William James St. John, deceased, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," be made special orders for Thursday next.

Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., APRIL 3, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkin.

The journal of Saturday was read and approved.

Mr. Cornwell presented the petition of 61 citizens of Mentz, Cayuga county, praying for a division of said town, which was referred to the committee on the division of towns and counties.

Mr. Cook presented the petition of citizens of Schenectady for the passage of an act authorising the corporation of Schenectady to borrow money and loan the same for the purposes therein mentioned, which was referred to the committee on roads and bridges.

Mr. Cook, from the committee on claims, reported for the consideration of the Senate the bill from the Assembly entitled, "An act authorising the payment of certain expenses to James Brady," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act incorporating the village of Jefferson, passed April 11, 1842," which was committed to the committee of the whole.

Mr. Geddes, from the majority of the committee on roads and bridges, reported in writing in favor of the passage of the bill entitled, "An act to repeal an act to appoint commissioners to lay out a road from Palatine Bridge in Montgomery county, through Palatine, Euphratah, Pleasant Valley and Garoga, to lands belonging to the State in the county of Fulton, passed December 10, 1847," which was committed to the committee of the whole.

(See Senate Doc. No. 67.)

Mr. Hawley, from the select committee, reported complete the bill entitled, "An act to subject to taxation certain debts owing by residents of this State to non-residents of the United States," which report was agreed to by the Senate.

The question being upon ordering said bill to a third reading,

Mr. Lawrence moved to recommit the same to the committee of the whole, which motion was decided in the affirmative.

Mr. Whallon, from the select committee, reported complete the bill entitled, "An act to incorporate the Pacific Mail Steamship Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act in respect to the funds and securities in the pos-

session of the clerk of the court of appeals," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed eight several bills with the following titles, to wit:

"An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," also

"An act to provide for the appointment of a clerk or clerks in the office of the surrogate of the county of Kings," also

"An act to authorise the formation of the Niagara Suspension Bridge House Company," also

"An act to divide the town of Lyme and to erect the town of Cape Vincent in the county of Jefferson," also

"An act to incorporate the East River Savings Bank," also

"An act for the relief and benefit of the Cambridge Washington Academy," also

"An act making an appropriation to the Prison Association of New-York," also

"An act authorising a certiorari in certain cases."

A bill was received from the Assembly for concurrence entitled, "An act authorising the appraisal and payment of canal damages to William Smith," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A message was received from the Assembly, announced by Mr. Severance and Mr. Saunders, informing that the Assembly had elected the Hon. Nathaniel Coe, Speaker pro tempore, during the temporary absence of the Speaker.

The report of the Secretary of State of the number of pardons granted by the Governor in each year from and including the year 1825 to and including the year 1847, with the name of the Governors granting them, in answer to a resolution of the Senate of the 28th of March last, was received and laid on the table.

(See Senate Doc. No. 66.)

A motion to print five times the usual number of copies of said report, was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

Mr. S. H. P. Hall gave notice that he would, at a future day, move to suspend the 32d standing rule of the Senate.

On motion of Mr. Cook,

*Ordered*, That the bill entitled, "An act to amend an act relating to the redemption of bank notes, passed May 4, 1840," be made the special order for Thursday next.

On motion of Mr. Geddes,

The Senate then proceeded to the consideration of concurrent

resolutions heretofore offered by him in the words following, to wit :

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be respectfully requested to use their influence in favor of the passage of a law which shall secure to the widows and orphans of officers and soldiers who fall in battle, or who die of wounds received in the service of the country, pensions equal to the pay proper of said officers or soldiers.

*Resolved*, (if the Assembly concur,) That his excellency the Governor be, and is respectfully requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

The President put the question upon agreeing to said resolutions, which was decided in the affirmative.

*Ordered*, That the Clerk deliver a copy of said resolutions to the Assembly, and request their concurrence therein.

On motion of Mr Cornwell,

*Ordered*, That the Clerk cause to be printed and placed upon the files of Senators, a list of the unfinished business now before the Senate, and the order or condition thereof, at as early a day as practicable.

On motion of Mr. Johnson, and by unanimous consent,

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the relief of the funds of the Marine Hospital," and Mr. Floyd, from said committee, reported progress, and obtained leave to sit again.

A resolution was received from the Assembly for concurrence, in the words following, which was read and laid on the table, to wit :

*Resolved*, (if the Assembly concur,) That the Attorney General be instructed carefully to inquire and ascertain whether, in any of the lands of this State now claimed to be held under any of the manorial titles referred to in this report, the claim of the present landlords be open to just doubt and question, and whether in his judgment this State may justly and legally lay claim to the title of the same or to any part thereof, by escheat or otherwise ; and if in his opinion the title of the present claimants may be justly questioned, and the right of the State to such lands, or any part of the same, be established according to law, that he take such measures, either by suit at law or other proper proceedings as will test the validity of such titles or claims.

The Senate then took a recess until 4 o'clock P. M.

4 O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled, "An act to alter the commissioner's map of the city of Brooklyn," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned three several bills with the following titles, to wit :

"An act to authorise the supervisors in any of the several counties therein named to restore the distinction between town and county poor," also

"An act to authorise the Canal Board to assume in behalf of the State the Dansville slip and basin," also

"An act providing for the election of city superintendent of common schools of the city of Rochester by the electors of said city," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

By unanimous consent,

Mr. S. H. P. Hall introduced a bill entitled, "An act extending the time to rebuild the bridge of the Chenango Canal Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Mr. W. Hall introduced a bill entitled, "An act to amend the act entitled, 'An act to provide for the enrolment of the militia and to encourage the formation of uniform companies, excepting the first military division of this State,' passed May 13, 1847," which was, by unanimous consent, ordered to a third reading.

By unanimous consent,

Mr. Cole, from the committee on the judiciary, reported a bill entitled, "An act to amend the act passed December 14, 1847, entitled 'An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847,'" which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

On motion of Mr. Bush, and by unanimous consent,

*Ordered*, That the Senate will, to-morrow, proceed to the third reading of bills, pursuant to the ninth joint rule of the Senate and Assembly.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the relief of the funds of the Marine Hospital," and Mr. Martin, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then, pursuant to order, spent some time in committee of the whole upon the bill from the Assembly entitled, "An act to determine and decide the public utility of a railroad from the city of Troy to the easterly line of the county of Rensselaer," also upon the bill entitled, "An act to amend the act passed December 14, 1847, entitled 'An act to amend the acts relating to the Buffalo and Hamburgh Turnpike Company,' passed January 23, 1830, and amended

April 7, 1847," and Mr. Lawrence, from said committee, reported said bill with amendments, which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

By unanimous consent,

Said first mentioned bill, with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Cornwell	Mr. Hawley	Mr. Wilkin
Mr. Fine	Mr. Johnson	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed six several bills with the following titles, to wit :

"An act to incorporate the Pacific Mail Steamship Company," also

"An act in respect to the funds and securities in the possession of the clerk of the court of appeals," also

"An act to amend the act entitled, 'An act to provide for the enrolment of the militia and encourage the formation of uniform companies, excepting the first military division of this State,' passed May 13, 1847," also

"An act extending the time to rebuild the bridge of the Chenango Canal Bridge Company," also •

"An act to incorporate the New-York and Staten Island Steam Ferry Company," also

"An act to amend the act passed December 14, 1847, entitled 'An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847.' "

The Senate then adjourned until ten o'clock to-morrow morning.

TUESDAY, 10 O'CLOCK, A. M., APRIL 4, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Cornwell presented the petition of citizens of the counties of Cayuga and Tompkins, praying for the passage of an act declaring the public use of a railroad from Auburn to Ithaca, which was referred to the committee on railroads.

Mr. Treadwell presented the remonstrance of Mr. T. Lambart against appropriating \$6,000 of the sailors' money to the emigrant, which was read and laid on the table.

The bill from the Assembly entitled, "An act to erect the town of Schuyler Falls from the town of Plattsburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Martin
Mr. Ayrault	Mr. Cornwell	Mr. Smith
Mr. Betts	Mr. Fine	Mr. Tamblin
Mr. Bokee	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Lawrence	Mr. Williams

21

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit :

"An act for the relief of the funds of the Marine Hospital," also

"An act to amend the act passed December 14, 1847, entitled 'An act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed January 23, 1860, and amended April 7, 1847."

The bill entitled, "An act to incorporate the Pacific Mail Steamship Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Lawrence	

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## FOR THE NEGATIVE.

Mr. Floyd	Mr. Williams	
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2

The bill entitled, "An act to incorporate the New-York and Staten Island Steam Ferry Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Burch	Mr. Floyd
Mr. Ayrault	Mr. Bush	Mr. Frost
Mr. Betts	Mr. Coffin	Mr. Johnson
Mr. Bokee	Mr. Cole	Mr. Lawrence
Mr. Bond	Mr. Cornwell	Mr. Martin
Mr. Brownson	Mr. Fine	Mr. Tamblin

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## FOR THE NEGATIVE.

Mr. Cook	Mr. Smith	Mr. Whallon
Mr. S. H. P. Hall	Mr. Treadwell	

5

The bill entitled, "An act extending the time to build the bridge of the Chenango Canal Bridge Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Wilkin

Mr. Bush  
Mr. Coffin

Mr. W. Hall  
Mr. Hawley

Mr. Williams

23

*Ordered*, That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence therein.

The bill entitled, "An act in respect to the funds and securities in the possession of the clerk of the court of appeals," was read the third time.

On motion of Mr. S. H. P. Hall,

Said bill was recommitted to the committee of the whole.

By unanimous consent,

The Senate then spent some time in committee of the whole upon said bill, and Mr. Lawrence, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

The bill from the Assembly entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise twenty-five thousand dollars by loan and to fund the same," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bette  
Mr. Bokee  
Mr. Bond  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Cornwell  
Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

23

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act in relation to firemen in the several cities and villages of this State,' passed March 18, 1848,"

which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to amend the 15th section of the act entitled, 'An act in relation to the judiciary,' passed May, 12, 1847," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

The Assembly returned two several bills with the following titles, to wit:

"An act for the construction of a bridge from State-street to the pier in the city of Albany," also

"An act to determine and decide the public utility of a railroad from the city of Troy to the easterly line of the county of Rensselaer," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered,* That the Clerk return the same to the Assembly.

The bill entitled, "An act for the relief of the funds of the Marine Hospital," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cornwell	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin		

22

#### FOR THE NEGATIVE.

Mr. Cook	Mr. Treadwell	Mr. Whallon	3
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The bill entitled, "An act to provide for the appointment and payment of a clerk or clerks in the office of the surrogate of the county of Kings," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson

Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Whallon
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Burch	Mr. W. Hall	

20

FOR THE NEGATIVE.

Mr. Coffin	Mr. Smith	2
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The bill entitled, "An act to amend the act passed December 14, 1847, entitled 'An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. W. Hall	

23

The bill entitled, "An act to amend the act passed December 14, 1847, entitled 'An act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed January 23, 1830, and amended April 7, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Cornwell	Mr. Martin
Mr. Betts	Mr. Fine	Mr. Smith
Mr. Bokee	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Williams
Mr. Coffin		

19

FOR THE NEGATIVE.

Mr. Johnson	1
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The bill entitled, "An act to authorise the formation of the Niagara Suspension Bridge House Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Martin
Mr. Betts	Mr. Cornwell	Mr. Smith
Mr. Bokee	Mr. Fine	Mr. Treadwell
Mr. Bond	Mr. Frost	Mr. Whallon
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. W. Hall	

20

## FOR THE NEGATIVE.

Mr. Burch	Mr. Floyd	2
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The bill entitled, "An act to amend the act entitled, 'An act to provide for the enrolment of the militia and to encourage the formation of uniform companies,' passed May 13, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Bush	Mr. Fuller
Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Wilkin

21

*Ordered,* That the Clerk deliver the last six mentioned bills to the Assembly, and request their concurrence therein.

The bill entitled, "An act authorising a certiorari in certain cases," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Geddes
Mr. Bokee	Mr. Cornwell	Mr. Johnson
Mr. Bond	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Wilkin
Mr. Burch	Mr. Fuller	Mr. Williams
Mr. Bush		

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FOR THE NEGATIVE.

Mr. Adams	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Betts	Mr. W. Hall	Mr. Treadwell
Mr. Cook	Mr. Martin	Mr. Whallon
Mr. Floyd	Mr. Smith	

11

Mr. Fuller moved a reconsideration of the vote just taken on the final passage of said bill, which was laid on the table.

The bill entitled, "An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	

23

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act making an appropriation to the Prison Association of New-York," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Frost	Mr. Treadwell
Mr. Bokee	Mr. Fuller	

11

FOR THE NEGATIVE.

Mr. Bond	Mr. Cook	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Tamblin
Mr. Burch	Mr. Hawley	Mr. Whallon
Mr. Bush	Mr. Lawrence	Mr. Wilkin
Mr. Cole		

18

Mr. Johnson moved a reconsideration of the vote just taken on the final passage of said bill, which motion was laid on the table.

The bill from the Assembly entitled, "An act to amend the 15th section of the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
		24

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to the trustees of the Seamen's Fund and Retreat in the city of New-York,' passed March 17, 1843," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Bush	Mr. W. Hall
Mr. Ayrault	Mr. Coffin	Mr. Johnson
Mr. Betts	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cook	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Whallon
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Burch		
		19

**FOR THE NEGATIVE.**

Mr. Floyd	• Mr. Hawley	Mr. Tamblin
Mr. Frost	Mr. Smith	Mr. Treadwell
		6

The bill from the Assembly entitled, "An act relating to the salary and term of office of the county treasurer of the county of Kings," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Bush	Mr. S. H. P. Hall
Mr. Ayrault	Mr. Coffin	Mr. W. Hall
Mr. Betts	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Whallon
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Burch		

19

*Ordered*, That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill entitled, "An act to divide the town of Lyme and to erect the town of Cape Vincent in the county of Jefferson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Frost	Mr. Tamblin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Wilkin

24

The bill entitled, "An act to incorporate the East River Savings Institution," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Burch	Mr. Fine	Mr. Whallon
Mr. Bush	Mr. Frost	Mr. Williams
Mr. Clark	Mr. S. H. P. Hall	

20

The bill entitled, "An act for the relief and benefit of the Cambridge Washington Academy," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Coffin		

28

*Ordered,* That the Clerk deliver the last three mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to authorise the Maspeth Avenue and Toll Bridge Company to charge toll on foot passengers in certain cases," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Cornwell	Mr. Lawrence
Mr. Brownson	Mr. Fine	Mr. Martin
Mr. Burch	Mr. Floyd	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark		

22

## FOR THE NEGATIVE.

Mr. S. H. P. Hall	Mr. Smith
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2

*Ordered;* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to amend the act in relation to the village of Batavia, passed April 2, 1844," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. W. Hall
Mr. Ayrault	Mr. Coffin	Mr. Johnson
Mr. Betts	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cook	Mr. Martin
Mr. Bond	Mr. Cornwell	Mr. Smith
Mr. Brownson	Mr. Fine	Mr. Whallon
Mr. Burch	Mr. Floyd	Mr. Wilkin
Mr. Bush	Mr. Frost	Mr. Williams

24

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act to incorporate the United States Mail Steamship Company," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the American Dramatic Fund Association" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence entitled, "An act for the incorporation of benevolent, charitable and missionary societies," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole when upon a bill of the Senate with a similar title, and together with said bill made a special order for Saturday next.

Seven several bills were received from the Assembly for concurrence, with the following titles, to wit:

"An act making an appropriation for the Erie canal enlargement," also

"An act in relation to the Chemung canal," also

"An act making an appropriation to the Genesee Valley canal,"

"An act making an appropriation to the Black river canal and Erie canal feeder," also

"An act in relation to the funds appropriated for the canals," also

"An act in relation to the canal debt falling due on the first day of July, 1848," also

"An act to provide for deficiencies in the sinking funds under the provisions of article seven of the Constitution," which were severally read the first time, and by unanimous consent were also read a second time, and committed to the committee of the whole.

A bill was received from the Assembly for concurrence entitled, "An act authorising a loan to the county of Allegany for the purpose of building at jail in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

A resolution was received from the Assembly for concurrence, in the words following, which was read and laid on the table, to wit:

*Resolved*, (if the Senate concur,) 'That this Legislature will adjourn on the 12th of April inst., at 12 o'clock, noon.

Then the Senate adjourned until ten o'clock to-morrow morning.

### WEDNESDAY, 10 O'CLOCK, A. M., APRIL 5, 1849.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wilkin.

The journal of yesterday was read and approved.

Mr. Geddes presented the petition of inhabitants of the town of Geddes, Onondaga county, for the passage of a law to establish free schools, which was referred to the committee on literature.

By unanimous consent,

Mr. Treadwell introduced a bill entitled, "An act in relation to the public offices in the new State Hall," which was read the first time, and by unanimous consent was also read the second time, and ordered to a third reading.

By unanimous consent,

Mr. Coffin introduced a bill entitled, "An act to provide for the public printing," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public printing.

The bill from the Assembly entitled, "An act in relation to the first school district in the city of Troy," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Boker  
Mr. Bond  
Mr. Coffin  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Geddes  
Mr. W. Hall  
Mr. Lawrence  
Mr. Lisle

Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

The bill from the Assembly entitled, "An act in relation to the proceedings pending before the late circuit judges," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Martin
Mr. Ayrault	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Frost	Mr. Tamblin
Mr. Bokee	Mr. Goddes	Mr. Treadwell
Mr. Bond	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Cornwell		

23

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act in relation to firemen in the several cities and villages of this State,' passed March 18, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little
Mr. Ayrault	Mr. Cornwell	Mr. Martin
Mr. Betts	Mr. Fine	Mr. Smith
Mr. Bokee	Mr. Floyd	Mr. Tamblin
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams

24

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to consolidate and amend the act to incorporate the city of Rochester,' passed April 28, 1834, and the several acts amendatory thereof, passed April 11, 1844," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Tamblin

Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Burch	Mr. W. Hall	Mr. Wilkin	
Mr. Clark	Mr. Hawley	Mr. Williams	
Mr. Cole	Mr. Johnson		20

The bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Henry B. Opp," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Lawrence	
Mr. Ayrault	Mr. Fine	Mr. Martin	
Mr. Betts	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Tamblin	
Mr. Burch	Mr. W. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Hawley	Mr. Williams	
Mr. Cole	Mr. Johnson		20

The bill from the Assembly entitled, "An act to regulate the weight of sack salt," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Frost	Mr. Lawrence	
Mr. Betts	Mr. Fuller	Mr. Little	
Mr. Bond	Mr. Geddes	Mr. Martin	
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Clark	Mr. W. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Johnson	Mr. Williams	
Mr. Fox			19

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	Mr. Tamblin	3
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*Ordered*, That the Clerk return the last six mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled, "An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," with the engrossed

amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

16

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act in relation to documentary evidence," coming up for its third reading,

On motion of Mr. Cornwell,

*Ordered*, That said bill be recommitted to the committee on the judiciary, with instructions.

Afterwards,

Mr. Wilkin, from said committee, reported said bill amended agreeably to said instructions, which report was agreed to by the Senate, and said bill ordered to a third reading.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," coming up for its third reading,

On motion of Mr. S. H. P. Hall,

*Ordered*, That said bill be recommitted to the select committee which reported the same, with instructions.

Afterwards,

Mr. Lawrence, from said committee, reported said bill amended agreeably to said instructions.

The said amendments having been read,

Mr. Fine moved to strike out the same from said bill, and insert in lieu thereof as follows :

"One-half thereof to be paid within the year 1848, and the other half within the year 1849."

The President put the question upon agreeing to said motion, which was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Frost	Mr. Lawrence

Mr. Bokee	Mr. Fuller	Mr. Tamblin	
Mr. Bond	Mr. Geddes	Mr. Treadwell	
Mr. Cole	Mr. W. Hall	Mr. Wilkin	15

## FOR THE NEGATIVE.

Mr. Adams	Mr. Coffin	Mr. Martin	
Mr. Brownson	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Whallon	
Mr. Clark	Mr. Hawley	Mr. Williams	13

The report of said committee was then agreed to as amended, and said amendments ordered engrossed, and said bill to a third reading.

The bill entitled, "An act to declare the public use of a railroad from Syracuse to Rochester on the most direct and eligible route," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Fuller	
Mr. Bond	Mr. Cornwell	Mr. Geddes	
Mr. Burch	Mr. Fine	Mr. Smith	
Mr. Clark	Mr. Floyd	Mr. Tamblin	
Mr. Coffin	Mr. Fox		14

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Hawley	Mr. Martin	
Mr. Brownson	Mr. Johnson	Mr. Whallon	
Mr. Cole	Mr. Lawrence	Mr. Wilkin	
Mr. W. Hall			10

Mr. Cornwell moved a reconsideration of the vote just taken upon the final passage of said bill, which motion was laid on the table.

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson	
Mr. Ayres	Mr. Floyd	Mr. Lawrence	

Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Coffin  
Mr. Cole

Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley

Mr. Little  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Wilkin

22

FOR THE NEGATIVE.

Mr. Burch  
Mr. Clark

Mr. Cook  
Mr. Martin

Mr. Whallon

5

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Wilkin, from the committee on the judiciary, to which was referred the resolution to report their opinion whether it be not wiser for the codifiers of the law, instead of attempting to reduce the unwritten law to writing, (the work, as they confess, of more than seven years,) to revise our statute law, adapting it to the new Constitution, omitting what is useless or has been repealed, and adding notes of explanation with references to the decisions of our courts, reported in writing, which report was laid on the table.

(See Senate Doc. No. 69)

A motion to print an extra number of copies of said report, was referred to the committee on public printing.

The Assembly returned the resolution instructing our Senators and Representatives in Congress to use their influence in favor of the passage of a law which shall secure to the widows and orphans of officers and soldiers who fall in battle, or who die of wounds received in the service of the country, pensions equal to the pay proper of said officers or soldiers, with a message informing that they have concurred therein.

The Assembly returned the bill entitled, "An act to authorize the Maspeth Avenue and Toll Bridge Company to charge toll on foot passengers in certain cases," with a message informing that they had concurred with the Senate in their amendments to said bill, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the incorporation and regulation of Telegraph Companies," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the prices for wharfage hereafter to be charged

for vessels landing at the pier on the east side of the city of Albany," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled, "An act to provide for building a court house in the county of Madison," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings.

A bill was received from the Assembly for concurrence entitled, "An act to pay certain expenses of Morgan Johnson for contesting, and of Solomon Moss for defending the right to a seat in the Assembly from the second Assembly district in the county of Niagara," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on privileges and elections.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

By unanimous consent,

Mr. Bond introduced a bill entitled, "An act to declare the public use of a railroad from Niagara Falls to Lewiston on the most direct and eligible route," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Tamblin introduced a bill entitled, "An act for the relief of the Cemetery Association in the village of Adams," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies, to consider and report complete.

By unanimous consent,

Mr. Whallon introduced a bill entitled, "An act to repeal an act concerning passengers arriving at the ports of entry and landings in this State, passed December 10, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act in relation to the public offices in the new State Hall."

By unanimous consent,

Mr. Fuller, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to John King," which report was agreed to by the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

By unanimous consent,

Mr. Geddes, from the select committee, reported complete the bill entitled, "An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirk's mills to Piseco village,'" which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed the bill entitled, "An act in respect to the funds and securities in the possession of the clerk of the court of appeals."

By unanimous consent,

Mr. Wilkin, from the committee on the judiciary, reported a bill entitled, "An act confirming the appointment of commissioners of deeds in the city of Brooklyn," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Wilkin, Bokee and Hawley, to consider and report complete.

By unanimous consent,

Mr. Wilkin introduced a bill entitled, "An act to incorporate the Liberty Normal Institute," which was read the first time, and by unanimous consent was so read a second time, and referred to a select committee consisting of Messrs. Wilkin, Bond and Whallon, to consider and report complete.

By unanimous consent,

Mr. Wilkin, from the select committee, reported complete the bill entitled, "An act concerning the office of district attorney of the county of Sullivan," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Treadwell, and by unanimous consent,

*Ordered*, That the bill entitled, "An act relative to the State Arsenal in the city of New-York," be taken from the table and referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Treadwell, Adams and Cook, be said committee.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of five several bills with the following titles, to wit:

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843," also

"An act for the relief of William Swanton," also

"An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer, deceased," also

"An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," also

"An act to confirm the official acts of Samuel E. Day as one of the associate justices for sessions in and for the county of Cayu-

ga," also of eighteen several bills from the Assembly with the following titles, to wit :

"An act to fix the salary of the recorder of the city of Rochester," also

"An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," also

"An act in relation to the road from Ogdenburg to Canton in the county of St. Lawrence," also

"An act in relation to the act entitled, 'An act to amend title five of chapter six of the third part of the Revised Statutes, 'Of executions against property,' passed November 30, 1847," also

"An act to amend an act incorporating the village of Jefferson, passed April 11, 1842," also

"An act relating to the county superintendents of the poor in the county of Kings," also

"An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," also

"An act to confirm the title of a certain lot of land to William Radley," also

"An act in relation to the Prattsville Turnpike Company and the inhabitants living along the same in the town of Lexington," also

"An act to authorise the Canal Commissioners to lease certain surplus waters of the Erie canal to Rhoderick Price," also

"An act relating to bills of exchange and promissory notes," also

"An act in relation to the recorder's court of the city of Buffalo," also

"An act relative to the proof of the statute, and common law of other states and territories," also

"An act to confirm the official acts of William H. Olmstead, Cornelius Rosa and Jeremiah B. Millard, justices of the peace of the town of West Union," also

"An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," also

"An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," also

"An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," also

"An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek and to extend the town dock," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843;" be referred to a select committee consisting of Messrs. Adams, Johnson and Fox, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of William Swanton," be referred to a select committee consisting of Messrs.

W. Hall, Williams and Adams, to consider and report complete.

*Ordered*, That the bill entitled, "An act for the relief of Rebecca Tozer and other devisees of Thomas Tozer deceased," be referred to a select committee consisting of Messrs. Cook, Burch and Coffin, to consider and report complete.

*Ordered*, That the bill entitled "An act to confirm the official acts of Samuel E. Day as one of the associate justices for sessions in and for the county of Cayuga," be referred to a select committee consisting of Messrs. Cornwell, Hawley and Treadwell, to consider and report complete.

*Ordered*, That the bill entitled, "An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," be referred to a select committee consisting of Messrs. Cornwell, Floyd, and Clark, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek and to extend the town dock," be referred to a select committee consisting of Messrs. Floyd, Bush and Bokee, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," be referred to a select committee consisting of Messrs. Little, W. Hall and Smith, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," be referred to a select committee consisting of Messrs. Martin, Coffin and Burch, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," be referred to a select committee consisting of Messrs. Cole, Adams and W. Hall, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to confirm the official acts of William H. Olmstead, Cornelius Rosa and Jeremiah B. Millard, justices of the peace of the town of West Union," be referred to a select committee consisting of Messrs. Hawley, Wilkin and Geddes, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act relative to the proof of the statute and common law of other states and territories," be referred to a select committee consisting of Messrs. Wilkin, Floyd and Cornwell, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act in relation to the recorder's court of the city of Buffalo," be referred to a select committee consisting of Messrs. Bush, Adams and Cole, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act relating to bills of exchange and promissory notes," be referred to a select committee consisting of Messrs. Tamblin, Johnson and Fuller, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to authorise the Canal Commissioners to lease certain surplus waters of the Erie canal to Rhoderick Price," be referred to a select committee consisting of Messrs. Bond, S. H. P. Hall and Betts, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the Prattsville Turnpike Company, and the inhabitants living along the same in the town of Lexington," be referred to a select committee consisting of Messrs. W. Hall, Smith and Bond, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to confirm the title of a certain lot of land to William Radley," be referred to a select committee consisting of Messrs. Treadwell, Brownson and Clark, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," be referred to a select committee consisting of Messrs. Brownson, Adams and Geddes, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act relating to the county superintendents of the poor in the county of Kings," be referred to a select committee consisting of Messrs. Bo-kee, Bond and Whallon, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to amend an act incorporating the village of Jefferson, passed April 11, 1842," be referred to a select committee consisting of Messrs. Burch, Williams and Betts, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the act entitled, 'An act to amend title five of chapter six of the third part of the Revised Statutes 'Of executions against property,' passed November 30, 1847," be referred to a select committee consisting of Messrs. Tamblin, Clark and Lawrence, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act in relation to the road from Ogdensburgh to Canton in the county of St. Lawrence," be referred to a select committee consisting of Messrs. Fine, Burch and Little, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," be referred to a select committee consisting of Messrs. Fine, Cook and Burch, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to fix the salary of the recorder of the city of Buffalo," be referred to a select committee consisting of Messrs. Bush, Frost and Coffin, to consider and report complete.

The bill entitled, "An act in relation to the offices in the new State Hall," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cornwell	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bokee	Mr. Frost	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Whallon
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Johnson	

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## FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd	2
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to divide school district No. 13 in the town of Newburgh," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams

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The bill from the Assembly entitled, "An act in relation to the tax on dogs in Queens county," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Little
Mr. Ayrault	Mr. Fox	Mr. Smith
Mr. Betts	Mr. Frost	Mr. Tamblin
Mr. Bokee	Mr. W. Hall	Mr. Whallon

Mr. Coffin	Mr. Johnson	Mr. Wilkin	
Mr. Fine	Mr. Lawrence	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Bond	Mr. Cole	Mr. Geddes	
Mr. Brownson	Mr. Cook	Mr. Hawley	
Mr. Burch	Mr. Cornwell	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Treadwell	12

The bill from the Assembly entitled, "An act further to amend the act entitled, 'An act relating to common schools for the city of Brooklyn,' passed May 23, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence	
Mr. Ayrault	Mr. Cook	Mr. Little	
Mr. Betts	Mr. Cornwell	Mr. Martin	
Mr. Bokee	Mr. Fine	Mr. Tamblin	
Mr. Bond	Mr. Fox	Mr. Treadwell	
Mr. Brownson	Mr. Fuller	Mr. Whallon	
Mr. Burch	Mr. W. Hall	Mr. Wilkin	
Mr. Bush	Mr. Hawley	Mr. Williams	
Mr. Coffin			25

The bill from the Assembly entitled, "An act to provide for filling the vacancy in the office of justice of the municipal court in the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Little	
Mr. Ayrault	Mr. Cook	Mr. Martin	
Mr. Betts	Mr. Cornwell	Mr. Smith	
Mr. Bokee	Mr. Fine	Mr. Tamblin	
Mr. Bond	Mr. Fox	Mr. Treadwell	
Mr. Brownson	Mr. Geddes	Mr. Whallon	
Mr. Burch	Mr. Johnson	Mr. Wilkin	
Mr. Clark	Mr. Lawrence	Mr. Williams	24

*Ordered,* That the Clerk return the last four mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled, "An act in relation to documentary evidence," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Wilkin
Mr. Burch	Mr. Hawley	Mr. Williams
Mr. Bush		

22

## FOR THE NEGATIVE.

Mr. Cole	Mr. W. Hall	Mr. Whallon
Mr. Cook		

4

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act in respect to the funds and securities in the possession of the clerk of the court of appeals," coming up for its third reading,

Mr. S. H. P. Hall moved to recommit the same to the select committee which reported it with instructions, which motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Martip
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. Hawley	Mr. Williams
Mr. Cook	Mr. Little	

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## FOR THE NEGATIVE.

Mr. Bush	Mr. Cornwell	Mr. W. Hall
Mr. Clark	Mr. Fine	Mr. Lawrence
Mr. Coffin	Mr. Frost	Mr. Tamblin
Mr. Cole	Mr. Fuller	Mr. Wilkin

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Mr. Wilkin moved a reconsideration of the vote just taken upon recommitting said bill, which motion was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Bush	Mr. Fine	Mr. Lawrence
Mr. Clark	Mr. Frost	Mr. Little
Mr. Coffin	Mr. Fuller	Mr. Tamblin
Mr. Cole	Mr. W. Hall	Mr. Wilkin

15

**FOR THE NEGATIVE.**

Mr. Adams	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. Hawley	Mr. Williams
Mr. Cook		

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Afterwards,

Mr. Fuller, from said committee, reported said bill amended agreeably to said instructions, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Brownson presented the petition of citizens of Wyoming co., for the passage of a law for the establishment of courts of conciliation, which was referred to the committee on the judiciary.

Mr. Cole presented the petition of inhabitants of Orleans county praying for the incorporation of a company to construct a railroad from Rochester to Lewiston, which was referred to the committee on railroads.

On motion of Mr. Floyd,

The Senate then proceeded to the consideration of the resolution heretofore received from the Assembly for concurrence, in the words following, to wit :

*Resolved*, (if the Senate concur,) That this Legislature will adjourn on the 12th of April inst., at 12 o'clock, noon.

A motion to lay the consideration of said resolution on the table, was decided in the negative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Bush	Mr. W. Hall
Mr. Bokee	Mr. Cole	Mr. Johnson
Mr. Bond	Mr. Fine	Mr. Wilkin
Mr. Brownson	Mr. Fox	

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## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Cook	Mr. Lawrence	Mr. Williams
Mr. Cornwell	Mr. Little	

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The President then put the question upon agreeing to said resolution, which was decided in the affirmative.

Mr. Bush moved to reconsider the vote just taken upon agreeing to said resolution.

Mr. Bush also moved to lay his said motion to reconsider on the table, which was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Fox
Mr. Bokee	Mr. Cornwell	Mr. Fuller
Mr. Brownson	Mr. Fine	Mr. Johnson
Mr. Bush		

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## FOR THE NEGATIVE.

Mr. Adams	Mr. Frost	Mr. Martin
Mr. Betts	Mr. Geddes	Mr. Smith
Mr. Bond	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cook	Mr. Little	Mr. Williams
Mr. Floyd		

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The President then put the question upon agreeing to said first mentioned motion of Mr. Bush, which was decided in the negative.

Thereupon,

*Ordered*, That the Clerk return said resolution to the Assembly, and inform them that the Senate have concurred therein.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act for the permanent establishment of the Normal School," also

"An act to continue the compensation of the chancellor and justices of the supreme court," and Mr. Brownson, from said committee, reported progress on said first mentioned bill, and obtained leave to sit again.

Then the Senate adjourned until ten o'clock to-morrow morning.

THURSDAY, 10 O'CLOCK, A. M., APRIL 6, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Welch.

The journal of yesterday was read and approved.

Mr. Little, from the committee on charitable and religious societies, reported adversely to the passage of the bill from the Assembly entitled, "An act to incorporate the American Dramatic Fund Association" which report was laid on the table.

Mr. Little, from the committee on the judiciary, reported a bill entitled, "An act to amend the act in relation to justices and police courts in the city of New-York, passed March 30, 1848," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Wilkin, Smith and Lawrence, to consider and report complete.

Mr. Little, from the committee on charitable and religious societies, reported complete the bill entitled, "An act for the relief of the Cemetery Association in the village of Adams," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act to authorise the appraisal and payment of certain damages occasioned by the Champlain canal to Francis L. Brayton," which report was agreed to by the Senate.

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

By unanimous consent,

Mr. Whallon presented two several remonstrances against bridging lake Champlain at Rouse's Point, which were referred to the select committee having said matter in charge.

Mr. Treadwell, from the committee on public buildings, reported in favor of the passage of the bill from the Assembly entitled, "An act authorising a loan to the county of Allegany for the purpose of building a jail in said county."

Mr. Brownson moved to refer said bill to a select committee to consider and report complete, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee

Mr. Cole  
Mr. Cook  
Mr. Fine  
Mr. Fuller

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith

Mr. Bond	Mr. Geddes.	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Burch	Mr. W. Hall	Mr. Williams
Mr. Coffin	Mr. Johnson	

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## FOR THE NEGATIVE.

Mr. Hawley

1

*Ordered*, That Messrs. Brownson, Hawley and Martin, be said committee.

Mr. Treadwell, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for building a court house in the county of Madison," which was referred to a select committee consisting of Messrs. Bond, Clark and Frost, to consider and report complete.

Mr. Fuller, from the committee on canals, reported adversely to the petition of sundry inhabitants of the town of Wolcott, Wayne county, for extending the survey of Jack's reef by the State Engineer to the town of Wolcott, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Brownson, from the committee on public printing, reported in favor of the passage of the bill entitled, "An act to provide for the public printing."

Mr. Tamblin moved to refer said bill to the committee of the whole, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Hawley	Mr. Whallon
Mr. Burch	Mr. Smith	Mr. Wilkin
Mr. Fine	Mr. Tamblin	Mr. Williams
Mr. Floyd		

10

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. W. Hall
Mr. Bokee	Mr. Cole	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Frost	Mr. Treadwell
Mr. Clark		

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Mr. Floyd moved to lay said bill on the table, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Fine	Mr. Johnson	Mr. Whallon

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## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Brownson	Mr. Cornwell	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Frost	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. S. H. P. Hall	

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Mr. Brownson moved to refer said bill to a select committee to consider and report complete, which motion was decided in the affirmative.

*Ordered*, That Messrs. Coffin, Smith and Cole, be said committee.

Mr. Cornwell, from the committee on railroads, to which were referred the several petitions for that purpose, reported a bill entitled, "An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Williams, Hawley and Cornwell, to consider and report complete.

Mr. Burch, from the committee on commerce and navigation, reported a bill entitled, "An act requiring boats or vessels propelled or driven by steam to carry small boats for the protection of life in cases of accident," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Clark, Adams and Frost, to consider and report complete.

Mr. Bokee, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled, "An act to amend 'An act incorporating the village of Plattsburg,' passed April 26, 1831," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Whallon, Cook and Burch, to consider and report complete.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill entitled, "An act to declare the public use of a railroad from Lewiston to Niagara Falls on the most direct and eligible route," which was referred to a select committee consisting of Messrs. Bond, Cole and Geddes, to consider and report complete.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed two several bills with the following titles, to wit:

"An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirk's mills to Piesco village,' also

"An act concerning the office of district attorney of the county of Sullivan."

Mr. Smith, from the committee on poor laws, reported a bill entitled, "An act to amend an act entitled, 'An act relative to the poor,' passed March 3, 1820," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Fox, Smith and S. H. P. Hall, to consider and report complete.

Mr. Geddes, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled, "An act to authorise the common council of the city of Schenectady to loan the credit of said city for the construction of a plank road," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Cook, Boker and Fisco, to consider and report complete.

Mr. Cook, from the committee on claims, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to William Smith," which was committed to the committee of the whole.

Mr. Boker, from the committee on the incorporation of cities and villages, reported adversely to the passage of the bill from the Assembly entitled, "An act to extend North Pearl-street in Albany and to change the course of Broadway from the north bounds of the city of Albany," which was committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act in relation to the expenses incurred in excavating the Albany basin," which was committed to the committee of the whole.

Mr. Burch from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the prices for wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," which was referred to a select committee consisting of Messrs. Treadwell, Little and Johnson, to consider and report complete.

Mr. Clark, from the committee on manufactures, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to provide for the incorporation and regulation of Telegraph Companies," which was committed to a committee of the whole.

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill entitled, "An act relating to railroad corporations," which was referred to a select committee consisting of Messrs. Fuller, Coffin and Tamblin, to consider and report complete.

Mr. Bush, from the committee on privileges and elections, reported in favor of the passage of the bill from the Assembly entitled, "An act to pay certain expenses of Morgan Johnson for contesting, and of Solomon Moss for defending the right to a seat in the Assembly from the second Assembly district in the county of Niagara," which was referred to a select committee consisting of Messrs. Bush, Whallon and Frost, to consider and report complete.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act in relation to certain overpayments to the bank fund," which was referred to a select committee consisting of Messrs. Ayrault, Williams and Adams, to consider and report complete.

Mr. Treadwell, from the select committee, reported complete the bill entitled, "An act relative to the State Arsenal in the city of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from select committees, reported complete three several bills with the following titles, to wit:

"An act to incorporate the Liberty Normal Institute," also

"An act confirming the appointment of commissioners of deeds in the city of Brooklyn," also

"An act to amend the act in relation to justices and police courts in the city of New-York, passed March 30, 1848," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act authorising the appointment of a deputy and the employment of clerks in the State Engineer and Surveyor General's office," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete the bill entitled, "An act to confirm the official acts of Samuel E. Day as one of the associate justices for sessions in and for the county of Cayuga," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Cornwell	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon

Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Clark	Mr. W. Hall	Mr. Williams	
Mr. Coffin	Mr. Hawley		29

## FOR THE NEGATIVE.

Mr. Floyd	1
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*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Ayrault, from the select committee, reported complete the bill entitled, "An act for the formation of banks."

Mr. Johnson moved to amend the report of said committee by striking out of the 13th section of said bill the words "upon its capital," and inserting in lieu thereof the words "of the circulating notes received from the comptroller," which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Bush	Mr. W. Hall	
Mr. Bokee	Mr. Clark	Mr. Johnson	
Mr. Bond	Mr. Frost	Mr. Lawrence	
Mr. Brownson	Mr. Fuller	Mr. Little	12

## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Treadwell	
Mr. Coffin	Mr. Geddes	Mr. Whallon	
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Cornwell	Mr. Hawley	Mr. Williams	15

Mr. Williams moved to amend the report of said committee by adding to said bill an additional section, as follows :

§ 26. It shall be the duty of the comptroller whenever the ten per cent fund shall become impaired to the amount of ninety-nine per cent, by reason of the failure of any bank, hereby created, to require a further contribution of all the existing banks, doing business under this act, ratably in proportion to their capital, a sum sufficient to replenish the same, so as always to keep said fund of ten per cent unimpaired.

The President put the question upon agreeing to said motion, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cook	Mr. Hawley	Mr. Whallon
Mr. Floyd	Mr. Johnson	Mr. Williams
Mr. Geddes		

10

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Lawrence
Mr. Bond	Mr. Cole	Mr. Little
Mr. Brownson	Mr. Cornwell	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Tamblin
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. W. Hall	

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The President then put the question upon agreeing to the report of said committee, which was decided in the affirmative.

The President then put the question upon ordering said bill to a third reading, which motion was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cornwell	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. W. Hall	

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## FOR THE NEGATIVE.

Mr. Burch	Mr. Floyd	Mr. Lawrence
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Cole	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cook	Mr. Hawley	Mr. Williams

12

Mr. Fox, from the select committee, reported complete the bill entitled, "An act to amend the act entitled, 'An act relative to the poor,' passed March 3, 1820," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported, with amendments, the bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to resell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase money received from former sales of such lands and tenements," which, by unanimous consent, was ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill entitled, "An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act authorizing a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorize the Canal Commissioners to lease certain surplus waters of the Erie canal to Rhoderick Price," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act to provide for the public printing," which report was laid on the table.

(See Senate Bill No. 189.)

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit:

"An act in relation to the State Arsenal in the city of New-York," also

"An act for the relief of the Cemetery Association in the village of Adams," also

"An act to amend the act entitled, 'An act relative to the poor,' passed March 3, 1820," also

"An act to amend the act in relation to justices and police courts in the city of New-York, passed March 30, 1848."

Mr. W. Hall, from the select committee, reported complete the bill entitled, "An act for the relief of William Swanton," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bush, from select committees, reported complete two several bills from the Assembly with the following titles, to wit:

"An act to fix the salary of the recorder of the city of Buffalo," also

"An act in relation to the recorder's court of the city of Buffalo," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Cook, from the select committee, reported complete, with amendments, the bill entitled, "An act to repeal an act passed December 16, 1847, entitled 'An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847,' " and with the title thereof altered so as to read as follows: "An act to amend an act entitled, 'An act to amend

an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed December 15, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Little, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act to change the name of Charles Dexter Beers to Charles Dexter Gambriel," also

"An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Bokee, from the select committee, reported complete the bill from the Assembly entitled, "An act relating to the county superintendents of the poor in the county of Kings," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cole, from the select committee, reported complete the bill from the Assembly entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for building a court house in the county of Madison," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act relative to the proof of the statute, and common law of other states and territories," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Burch, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act incorporating the village of Jefferson, passed April 11, 1842," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. W. Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the Prattsville Turnpike Company and the inhabitants living along the same in the town of Lexington," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fine, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act in relation to the road from Ogdenburg to Canton in the county of St. Lawrence," also

"An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Lawrence, from the select committee, reported, with amendments, the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable wa-

ters of the great western lakes to Lake Champlain,' passed May 14, 1845," which was recommitted to the committee of the whole.

By unanimous consent,

The Senate then spent some time in committee of the whole upon said bill, and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

Afterwards,

Said bill was referred to a select committee consisting of Messrs. Wilkin, Cook and Brownson, to consider and report complete.

The annual report of the Albany Savings Bank was received, and laid on the table.

A communication was received from the commissioners on practice and pleadings, which was referred to the committee on the judiciary.

A message was received from the Governor, informing that he had approved and signed four several bills with the following titles, to wit :

"An act in relation to the appointment of commissioners of deeds in and for the several cities of this State except the city of New-York," also

"An act to alter the commissioner's map of the city of Brooklyn," also

"An act to amend the 15th section of the act entitled, 'An act to amend the judiciary,' passed May 12, 1847," also

"An act to incorporate the United States Mail Steamship Company."

The Assembly returned the bill entitled, "An act for the relief of the funds of the Marine Hospital," with a message informing that they had passed the same with the amendments therewith delivered, and with the title altered so as to read as follows : "An act to supply the deficiency in the money for the use and support of the Marine Hospital at Staten Island."

Mr. S. H. P. Hall moved that the Senate do non-concur in said amendments, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Floyd

Mr. Fox  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Tamblin

6

FOR THE NEGATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch

Mr. Frost  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley

Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon

Mr. Clark  
Mr. Cook  
Mr. Fine

Mr. Johnson  
Mr. Lawrence

Mr. Wilkin  
Mr. Williams

19

The President then put the question upon concurring in said amendments, which was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Adams  
Mr. Cook

Mr. Floyd  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Tamblin

6

The Assembly also returned the bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," with a message informing that they had passed the same with the amendments therewith delivered.

The President put the question upon concurring in said amendments, which was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cook  
Mr. Cornwell

Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Wilkin  
Mr. Williams

25

## FOR THE NEGATIVE.

Mr. Cole

1

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have attended the same accordingly.

The Assembly returned two several bills with the following titles, to wit :

"An act to provide for taking acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," also

"An act in relation to documentary evidence," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act appropriating money to the Stockbridge Indians," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence entitled, "An act to authorise a tax upon the town of Lyons to build a bridge in said town," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act for the appraisal and payment of canal damages to Herman Terwilliger," also

"An act authorising the building of bridges over the Erie canal and the Genesee Valley canal in the city of Rochester," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was received from the Assembly for concurrence entitled, "An act for the settlement of the claim of Hiram Mann against the bank of Lyons," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to vest certain powers in the recorder of the city of Hud-

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Cook  
Mr. Floyd  
Mr. Geddes

Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Treadwell  
Mr. Whallon  
Mr. Williams

10

## FOR THE NEGATIVE.

Mr. Ayrault  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark

Mr. Coffin  
Mr. Cole  
Mr. Cornwell  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Tamblin  
Mr. Wilkin

17

The President then put the question upon agreeing to the report of said committee, which was decided in the affirmative.

The President then put the question upon ordering said bill to a third reading, which motion was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bond  
Mr. Brownson  
Mr. Bush

Mr. Coffin  
Mr. Cornwell  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall

Mr. Johnson  
Mr. Little  
Mr. Martin  
Mr. Wilkin

14

## FOR THE NEGATIVE.

Mr. Burch  
Mr. Clark  
Mr. Cole  
Mr. Cook

Mr. Floyd  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Lawrence  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

12

Mr. Fox, from the select committee, reported complete the bill entitled, "An act to amend the act entitled, 'An act relative to the poor,' passed March 3, 1820," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported, with amendments, the bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to resell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase money received from former sales of such lands and tenements," which, by unanimous consent, was ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill entitled, "An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cornwell, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorize the Canal Commissioners to lease certain surplus waters of the Erie canal to Rhoderick Price," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill entitled, "An act to provide for the public printing," which report was laid on the table.

(See Senate Bill No. 189.)

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed four several bills with the following titles, to wit:

"An act in relation to the State Arsenal in the city of New-York," also

"An act for the relief of the Cemetery Association in the village of Adams," also

"An act to amend the act entitled, 'An act relative to the poor,' passed March 3, 1820," also

"An act to amend the act in relation to justices and police courts in the city of New-York, passed March 30, 1848."

Mr. W. Hall, from the select committee, reported complete the bill entitled, "An act for the relief of William Swanton," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bush, from select committees, reported complete two several bills from the Assembly with the following titles, to wit:

"An act to fix the salary of the recorder of the city of Buffalo," also

"An act in relation to the recorder's court of the city of Buffalo," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Cook, from the select committee, reported complete, with amendments, the bill entitled, "An act to repeal an act passed December 16, 1847, entitled 'An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed May 5, 1847,'" and with the title thereof altered so as to read as follows: "An act to amend an act entitled, 'An act to amend

an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed December 15, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Little, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act to change the name of Charles Dexter Beers to Charles Dexter Gambril," also

"An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Bokee, from the select committee, reported complete the bill from the Assembly entitled, "An act relating to the county superintendents of the poor in the county of Kings," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cole, from the select committee, reported complete the bill from the Assembly entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for building a court house in the county of Madison," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act relative to the proof of the statute, and common law of other states and territories," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Burch, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act incorporating the village of Jefferson, passed April 11, 1842," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. W. Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the Prattsville Turnpike Company and the inhabitants living along the same in the town of Lexington," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fine, from select committees, reported complete two several bills from the Assembly with the following titles, to wit :

"An act in relation to the road from Ogdesburg to Canton in the county of St. Lawrence," also

"An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Lawrence, from the select committee, reported, with amendments, the bill entitled, "An act to amend an act entitled, 'An act to provide for the construction of a railroad from the navigable wa-

ters of the great western lakes to Lake Champlain,' passed May 14, 1845," which was recommitted to the committee of the whole.

By unanimous consent,

The Senate then spent some time in committee of the whole upon said bill, and Mr. S. H. P. Hall, from said committee, reported progress, and obtained leave to sit again.

Afterwards,

Said bill was referred to a select committee consisting of Messrs. Wilkin, Cook and Brownson, to consider and report complete.

The annual report of the Albany Savings Bank was received, and laid on the table.

A communication was received from the commissioners on practice and pleadings, which was referred to the committee on the judiciary.

A message was received from the Governor, informing that he had approved and signed four several bills with the following titles, to wit :

"An act in relation to the appointment of commissioners of deeds in and for the several cities of this State except the city of New-York," also

"An act to alter the commissioner's map of the city of Brooklyn," also

"An act to amend the 15th section of the act entitled, 'An act to amend the judiciary,' passed May 12, 1847," also

"An act to incorporate the United States Mail Steamship Company."

The Assembly returned the bill entitled, "An act for the relief of the funds of the Marine Hospital," with a message informing that they had passed the same with the amendments therewith delivered, and with the title altered so as to read as follows : "An act to supply the deficiency in the money for the use and support of the Marine Hospital at Staten Island."

Mr. S. H. P. Hall moved that the Senate do non-concur in said amendments, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Floyd

Mr. Fox  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Tamblin

6

FOR THE NEGATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch

Mr. Frost  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley

Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon

Mr. Clark  
Mr. Cook  
Mr. Fine

Mr. Johnson  
Mr. Lawrence

Mr. Wilkin  
Mr. Williams

19

The President then put the question upon concurring in said amendments, which was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Boker  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cole  
Mr. Cornwell

Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin  
Mr. Williams

22

FOR THE NEGATIVE.

Mr. Adams  
Mr. Cook

Mr. Floyd  
Mr. S. H. P. Hall

Mr. Smith  
Mr. Tamblin

6

The Assembly also returned the bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," with a message informing that they had passed the same with the amendments therewith delivered.

The President put the question upon concurring in said amendments, which was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Boker  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Clark  
Mr. Coffin  
Mr. Cook  
Mr. Cornwell

Mr. Fine  
Mr. Floyd  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Wilkin  
Mr. Williams

25

FOR THE NEGATIVE.

Mr. Cole

1

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

The Assembly returned two several bills with the following titles, to wit :

"An act to provide for taking acknowledgment of deeds and other written instruments by persons residing out of the State of New-York," also

"An act in relation to documentary evidence," with a message informing that they had concurred with the Senate in their amendments to said bills severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

A bill was received from the Assembly for concurrence entitled, "An act appropriating money to the Stockbridge Indians," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence entitled, "An act to authorise a tax upon the town of Lyons to build a bridge in said town," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act for the appraisal and payment of canal damages to Herman Terwilliger," also

"An act authorising the building of bridges over the Erie canal and the Genesee Valley canal in the city of Rochester," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the same committee.

A bill was received from the Assembly for concurrence entitled, "An act for the settlement of the claim of Hiram Mann against the bank of Lyons," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to vest certain powers in the recorder of the city of Hud-

son," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to declare the public use of a railroad from Buffalo to the State line between New-York and Pennsylvania," also

"An act to declare the public use of a railroad from Batavia to Lockport," also

"An act to declare the public use of a railroad from Syracuse to Binghamton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

By unanimous consent,

Mr. Bond introduced a bill entitled, "An act to amend an act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 28, 1847," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Bond, Burch and W. Hall, to consider and report complete.

By unanimous consent,

Mr. Wilkin introduced a bill entitled, "An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Wilkin, Fine and Bush, to consider and report complete.

By unanimous consent,

Mr. Hawley introduced a bill entitled, "An act to allow Joseph Wood to take the oath of office of justice of the peace," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act releasing unto George H. Patterson and Robert D. Patterson a certain lot of ground in the seventh ward of the city of New-York," and that the same be ordered to a third reading.

The Assembly returned the bill entitled, "An act making appropriations to the Western House of Refuge," with a message informing that they had passed the same with the amendments therewith delivered.

The President put the question upon concurring in said amendments, which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Cornwell	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Smith

1

The Assembly also returned the bill entitled, "An act to incorporate the Sackett Harbor and Saratoga Railroad Company," with a message informing that they had passed the same with the amendments therewith delivered.

The President put the question upon concurring in said amendments, which was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Cornwell	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	

23

*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

Two several bills were received from the Assembly for concurrence, with the following titles, to wit :

"An act to declare the public utility of a railroad from Fishkill landing to the easterly line of the State of New-York," also

"An act to declare the public use of a railroad from Rochester to Lewiston," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the election of justices of the justices' court in and for the city of Hudson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the payment of the claim of Christopher Adams for work done on the old State Hall," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of canal damages to Joshua Webster," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

Mr. Hawley, from the select committee, reported complete the bill from the Assembly entitled, "An act to confirm the official acts of William H. Olmstead, Cornelius Rosa and Jeremiah B. Millard, justices of the peace of the town of West Union," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Brownson, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Martin, from the select committee, reported complete the bill from the Assembly entitled, "An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Cornwell, from the committee on railroads, reported in favor of the passage of the bill from the Assembly entitled, "An act to declare the public use of a railroad from Syracuse to Binghamton," which was referred to a select committee consisting of Messrs. S. H. P. Hall, Geddes and Whallon, to consider and report complete.

By unanimous consent,

Mr. Cornwell, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to declare the public use of a railroad from Batavia to Lockport," which was referred to a select committee consisting of Messrs. Fuller, Tamblin and Cook, to consider and report complete.

Mr. Cook, from the select committee, reported complete the bill entitled, "An act for the relief of Hebecca Tozer and the other de-

vices of Thomas Tozer, deceased," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New York,' passed April 18, 1843," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill entitled, "An act to declare the public use of a railroad from Lewiston to Niagara Falls on the most direct and eligible route," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Whallon, from the select committee, reported complete the bill entitled, "An act to amend an act incorporating the village of Plattsburg, passed April 26, 1831, and the acts amendatory thereof," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Treadwell,

The Senate then proceeded to the consideration of the following concurrent resolution from the Assembly:

*Resolved*, (if the Senate concur,) That the Attorney General be instructed carefully to inquire and ascertain whether, in any of the lands of this State now claimed to be held under any of the manorial titles referred to in this report, the claim of the present landlords be open to just doubt and question, and whether in his judgment this State may justly and legally lay claim to the title of the same or to any part thereof, by escheat or otherwise; and if in his opinion the title of the present claimants may be justly questioned, and the right of the State to such lands, or any part of the same, be established according to law, that he take such measures, either by suit at law or other proper proceedings as will test the validity of such titles or claims.

Mr. Johnson moved to amend said resolution by striking out thereof all after the word "resolved," and inserting in lieu thereof, as follows:

That the direction or encouragement, by the Legislature, of litigation concerning rights long enjoyed by citizens under grants and confirmations of the State, would be contrary to the true policy and duty of the government, oppressive to citizens compelled to litigate with the power that should protect them, and would tend to diminish that confidence which citizens should ever feel in the justice and stability of the laws and acts of their government; and if such litigation should be directed in the name and under the power of the State for any other purpose than a recovery for the sole benefit and use of the State, it would be a perversion of the powers of government from the duty of protection to purposes of maintenance and oppression.

Without taking any question thereon,

Then the Senate adjourned until ten o'clock to-morrow morning.

Mr. Burch, from the same committee, reported that they had stricken out the enacting clause of said first mentioned bill, which report was laid on the table.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act for the relief of the creditors of William James St. John, deceased, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," also

"An act authorising the appraisal and payment of canal damages to Rosel Blackman and Charles Blackman," and Mr. Tamblin, from said committee, reported progress, and obtained leave to sit again.

By unanimous consent,

Mr. S. H. P Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act to declare the public use of a railroad from Syracuse to Binghamton," which report was agreed to by the Senate, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hoyt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hoyt," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

By unanimous consent,

Mr. Wilkin offered the following concurrent resolution, which was read and laid on the table :

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be requested to use their influence in favor of the passage of a law which shall secure the benefit of the existing pension laws to those widows of soldiers or officers of the revolutionary army who may have married after the last day of December, 1793, provided such widows shall have been born prior to the third day of September, 1783, and shall have been married before the first day of January, 1818.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed ten several bills with the following titles, to wit :

"An act for the formation of banks," also

"An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer, deceased," also

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New York,' passed April 18, 1843," also

"An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," also

"An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," also

"An act to incorporate the Liberty Normal Institute," also

"An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the

State of New York for 'safe keeping,' passed April 4, 1837," also

"An act confirming the appointment of commissioners of deeds in the city of Brooklyn," also

"An act authorising the appointment of a deputy and the employment of clerks in the State Engineer and Surveyor General's office," also

"An act for the relief of William Swanton."

The Assembly also returned the bill entitled, "An act making appropriations to the State Library," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and non-concurred in, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Clark  
Mr. Cole

Mr. Fine  
Mr. Frost  
Mr. Fuller

Mr. Johnson  
Mr. Lawrence  
Mr. Wilkin

10

FOR THE NEGATIVE.

Mr. Adams  
Mr. Brownson  
Mr. Bush  
Mr. Coffin  
Mr. Cook

Mr. Cornwell  
Mr. Fox  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Little

Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

15

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in their amendments thereto.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned five several bills with the following titles, to wit :

"An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," also

"An act to incorporate the Clover Street Seminary," also

"An act to enable Jane Mary Jauncey and William Jauncey to take and hold real-estate and to release the interest of the State in said real estate to said Jane Mary Jauncey and William Jauncey," also

"An act for the more effectual protection of the property of married women," also

"An act to amend the act passed December 14, 1847, entitled 'An

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams

27

## FOR THE NEGATIVE.

Mr. Clark

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Floyd, from the select committee, reported complete the bill entitled, "An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek and to extend the town dock," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Wilkin, from the select committee, reported complete the bill entitled, "An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Bond, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 23, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the settlement and payment of the expenses of James H. Sherrill incurred in defending himself from certain charges preferred before a select committee of the Senate," and Mr. Floyd, from said committee, reported said bill, which report was agreed to by the Senate, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin

Mr. Bush  
Mr. Coffin  
Mr. Cook

Mr. W. Hall  
Mr. Johnson

Mr. Treadwell  
Mr. Whallon

16

FOR THE NEGATIVE.

Mr. Adams  
Mr. Clark

Mr. Cole  
Mr. Martin

Mr. Williams

5

Said bill was then ordered to a third reading.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act for the relief of John Swift," and Mr. Martin, from said committee, reported said bill to the Senate.

The President then put the question upon agreeing to the report of said committee, which was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Coffin  
Mr. Cole

Mr. Frost  
Mr. Fuller  
Mr. Lawrence

Mr. Little  
Mr. Wilkin  
Mr. Williams

FOR THE NEGATIVE.

Mr. Betts  
Mr. Brownson  
Mr. Burch  
Mr. Clark

Mr. Cook  
Mr. Floyd  
Mr. Fox  
Mr. Hawley

Mr. Johnson  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon

12

Mr. Fuller moved a reconsideration of the vote just taken, which motion was laid on the table.

By unanimous consent,

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the election of the justices of the justices court in and for the city of Hudson," which was committed to the committee of the whole.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act to pay John R. Green the avails of certain escheated lands," and Mr. Hawley, from said committee, reported said bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act for the relief of the heirs of Thomas Mott," also

"An act for the relief of Holloway Long," and Mr. Burch, from said committee, reported said last mentioned bill, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Burch, from the same committee, reported that they had stricken out the enacting clause of said first mentioned bill, which report was laid on the table.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act for the relief of the creditors of William James St. John, deceased, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," also

"An act authorising the appraisal and payment of canal damages to Rosel Blackman and Charles Blackman," and Mr. Tamblin, from said committee, reported progress, and obtained leave to sit again.

By unanimous consent,

Mr. S. H. P Hall, from the select committee, reported complete the bill from the Assembly entitled, "An act to declare the public use of a railroad from Syracuse to Binghamton," which report was agreed to by the Senate, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hoyt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hoyt," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

By unanimous consent,

Mr. Wilkin offered the following concurrent resolution, which was read and laid on the table :

*Resolved*, (if the Assembly concur,) That our Senators and Representatives in Congress be requested to use their influence in favor of the passage of a law which shall secure the benefit of the existing pension laws to those widows of soldiers or officers of the revolutionary army who may have married after the last day of December, 1793, provided such widows shall have been born prior to the third day of September, 1783, and shall have been married before the first day of January, 1818.

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed ten several bills with the following titles, to wit :

"An act for the formation of banks," also

"An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer, deceased," also

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New York,' passed April 18, 1843," also

"An act to declare the public use of a railroad from Auburn to Itaca through the towns of Fleming and Scipio and down the valley of Salmon creek," also

"An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," also

"An act to incorporate the Liberty Normal Institute," also

"An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the

State of New York for 'safe keeping,' passed April 4, 1837," also

"An act confirming the appointment of commissioners of deeds in the city of Brooklyn," also

"An act authorising the appointment of a deputy and the employment of clerks in the State Engineer and Surveyor General's office," also

"An act for the relief of William Swanton."

The Assembly also returned the bill entitled, "An act making appropriations to the State Library," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and non-concurred in, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Clark  
Mr. Cole

Mr. Fine  
Mr. Frost  
Mr. Fuller

Mr. Johnson  
Mr. Lawrence  
Mr. Wilkin

10

#### FOR THE NEGATIVE.

Mr. Adams  
Mr. Brownson  
Mr. Bush  
Mr. Coffin  
Mr. Cook

Mr. Cornwell  
Mr. Fox  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Little

Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

15

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in their amendments thereto.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the New-York Institution for the Blind,' passed April 21, 1831, and for other purposes," with a message informing that they had concurred with the Senate in their amendments thereto, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned five several bills with the following titles, to wit :

"An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," also

"An act to incorporate the Clover Street Seminary," also

"An act to enable Jane Mary Jauncey and William Jauncey to take and hold real estate and to release the interest of the State in said real estate to said Jane Mary Jauncey and William Jauncey," also

"An act for the more effectual protection of the property of married women," also

"An act to amend the act passed December 14, 1847, entitled 'An

act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed January 23, 1830, and amended April 7, 1847," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered.* That the same be delivered to the Governor.

The Assembly also returned the bill entitled, "An act to supply the deficiency in the money for the use and support of the Marine Hospital at Staten Island," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered.* That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to incorporate the Long Island Canal and Navigation Company," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered.* That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Franklin County Mutual Insurance Company,' passed May 12, 1836," with a message informing that they had concurred with the Senate in their amendments thereto, and to the title thereof so as to read as follows: "An act in relation to the business of mutual insurance companies," and had amended the same accordingly.

Said amended bill having been examined,

*Ordered.* That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to declare the public use of a railroad from Albany to Cohoes," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Ayrault	Mr. Cornwell	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Tamblin
Mr. Bush	Mr. Frost	Mr. Treadwell
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Cole	Mr. W. Hall	Mr. Williams

27

The Assembly also returned the bill entitled, "An act in relation to the courts of record in Oswego county," with a message informing that they had passed the same with the amendments therewith delivered, which were read and concurred in, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cook	Mr. Little
Mr. Boker	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin	Mr. Johnson	Mr. Williams

27

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to incorporate the Astor Mutual Insurance Company of the city of New-York,' passed April 18, 1843," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Lawrence, Fine and Clark, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the board of supervisors of the county of Albany to relieve John J. Ross," which was read the first time, and by unanimous consent was also read a second time and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to authorise a loan to the counties of Erie, Genesee and Orleans, for the purpose of building a bridge across the Tonawanda creek near Tonawanda village," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the issues of the safety fund banks and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Port Richmond and Bergen Point Ferry Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit:

"An act to authorise Francis E. Erwin to erect and maintain a dam across the Cohocton river and across Mead's creek in the county of Steuben," also

"An act to amend an act entitled, 'An act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads,' passed May 7, 1847," also

"An act to regulate the time in which labor is to be performed on the highways in certain cases," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act to release the interest of the State in certain lands to the heirs of Gavin Hamilton," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled, "An act to change the name of James White Bowen to James P. White," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act authorising the appraisal and payment of canal damages to James Williams," also

"An act to authorise the appraisal and payment of canal damages to Matthew Sayre," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

Then the Senate took a recess until 4 o'clock P. M.

#### 4 O'CLOCK P. M.

The Senate again met.

By unanimous consent,

Mr. Williams, from the committee on claims, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hoyt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hoyt," which was committed to the committee of the whole.

By unanimous consent,

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to vest certain powers in the recorder of the city of Hudson," which was referred to a select committee consisting of Messrs. Coffin, Smith, and Adams, to consider and report complete.

The Senate then spent some time in committee of the whole upon two several bills with the following titles, to wit :

"An act for the relief of the creditors of William James St. John, deceased, and of Ann St. John and John Henry Herbert St. John, his residuary devisees," also

"An act authorising the appraisal and payment of canal damages to Rosel Blackman and Charles Blackman," and Mr. Whallon, from said committee, reported progress upon said first mentioned bill, and obtained leave to sit again.

Mr. Whallon, from the same committee, also reported that they had stricken out the enacting clause of said last mentioned bill, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the Senate will, to-morrow, proceed to the third reading of bills, pursuant to the ninth joint rule of the Senate and Assembly.

By unanimous consent,

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of the bill entitled, "An act to amend the act entitled, 'An act to abolish distress for rent and for other purposes,' passed May 13, 1845," also of five several bills from the Assembly with the following titles, to wit:

"An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," also

"An act to provide for the distribution of the moneys appropriated to promote agriculture and for other purposes," also

"An act to provide for the incorporation and regulation of Telegraph Companies," also

"An act to levy a tax upon the town of Marbletown for the payment of a balance due John R. Cole for building a bridge;" and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered*, That the bill entitled, "An act to amend an act entitled, 'An act to abolish distress for rent and for other purposes,' passed May 13, 1846," be select committee consisting of Messrs. Johnson, Fine and Clark, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to levy a tax upon the town of Marbletown for the payment of a balance due John R. Cole for building a bridge," be referred to a select committee consisting of Messrs. Adams, Little and Bond, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for the incorporation and regulation of Telegraph Companies," be referred to a select committee consisting of Messrs. Brownson, S. H. P. Hall and Whallon, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for the distribution of moneys appropriated to promote agriculture and for other purposes," be referred to a select committee consisting of Messrs. Bond, Floyd and Williams, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," be referred to a select committee consisting of Messrs. Brownson, Williams and Tamblin, to consider and report complete.

The Assembly returned the resolution of thanks to Ex-Governor Wm. H. Seward, as read in the journal of this day, with a message informing that they had concurred therein.

The Senate then spent some time in committee of the whole upon two several bills from the Assembly with the following titles, to wit :

"An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hoyt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hoyt," also

"An act in relation to the expenses incurred in excavating the Albany basin," and Mr. Bokee, from said committee, reported progress on said bills severally, and obtained leave to sit again.

Then the Senate adjourned until ten o'clock to-morrow morning.

SATURDAY, 10 O'CLOCK A. M., APRIL 8, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Caughey.

■ The reading of the journal of yesterday was dispensed with.

The bill entitled, "An act for the relief of William Swanton," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee

Mr. Cole  
Mr. Fine  
Mr. Floyd  
Mr. Frost

Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Tamblin

Mr. Bond	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin		22

The bill entitled, "An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,'" passed April 18, 1843," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. W. Hall	Mr. Williams
		24

The bill entitled, "An act to amend an act entitled, 'An act authorising a loan of certain moneys belonging to the United States deposited with the State of New-York for safe keeping,' passed April 4, 1837," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Betts	Mr. Fine	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Bond	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Coffin		22

FOR THE NEGATIVE.

Mr. Floyd	1
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The bill entitled, "An act confirming the appointment of commissioners of deeds in the city of Brooklyn," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Hawley
Mr. Ayrault	Mr. Coffin	Mr. Lawrence

Mr. Betts	Mr. Cole	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. S. H. P. Hall	Mr. Williams
Mr. Bush		

22

*Ordered*, That the Clerk deliver the last four mentioned bills to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to declare the public use of a railroad from Syracuse to Binghamton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Whallon
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. Geddes	Mr. Williams
Mr. Coffin	Mr. S. H. P. Hall	

20

## FOR THE NEGATIVE.

Mr. Martin	1
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill entitled, "An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams

24

The bill entitled, "An act concerning the office of district attorney of the county of Sullivan," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Floyd	Mr. Tamblin
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Williams
Mr. Clark	Mr. Johnson	

23

The bill entitled, "An act to amend an act entitled, 'An act to authorise the laying out of a road from Newkirks mills to Piseco village,' " was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Coffin		

25

The bill entitled, "An act for the relief of the Cemetery Association of the village of Adams," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Frost	Mr. Tamblin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams

24

The bill entitled, "An act for the relief of Holloway Long," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Martin
Mr. Betts	Mr. Fine	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. Geddes	Mr. Whallon
Mr. Burch	Mr. S. H. P. Hall	Mr. Williams
Mr. Clark		

22

The bill entitled, "An act to pay John R. Green the avails of certain escheated lands," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Betts	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Clark	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Whallon

24

*Ordered,* That the Clerk deliver the last six mentioned bills to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act entitled, 'An act to amend an act entitled, 'An act concerning passengers in vessels coming to the city of New-York,' passed December 15, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

20

## FOR THE NEGATIVE.

Mr. Geddes  
Mr. W. Hall

Mr. Smith

Mr. Whallon

4

The bill entitled, "An act to authorise the mayor, aldermen and commonalty of the city of New-York to re-sell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase money received from former sales of such lands and tenements," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Brownson  
Mr. Bush  
Mr. Clark

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley

Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Williams

21

## FOR THE NEGATIVE.

Mr. Bond  
Mr. Cole  
Mr. Cook

Mr. Frost  
Mr. Treadwell

Mr. Whallon  
Mr. Wilkin

7

The bill entitled, "An act to amend an act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 28, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush

Mr. Coffin  
Mr. Cole  
Mr. Cook  
Mr. Fine  
Mr. Fox  
Mr. Frost  
Mr. Fuller

Mr. W. Hall  
Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Whallon  
Mr. Williams

22

The bill entitled, "An act for the relief of Rebecca Tozer and the other devisees of Thomas Tozer, deceased," was read the third

time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. W. Hall	

23

FOR THE NEGATIVE.

Mr. Martin	Mr. Whallon	Mr. Williams
Mr. Smith		

4

The bill entitled, "An act to amend the act entitled, 'An act relative to the poor,' passed March 3, 1820," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Williams

21

The bill entitled, "An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Tamblin
Mr. Bond	Mr. Frost	Mr. Treadwell

Mr. Brownson  
Mr. Burch  
Mr. Clark

Mr. S. H. P. Hall  
Mr. Johnson

Mr. Wilkin  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Smith

1

*Ordered*, That the Clerk deliver the last six mentioned bills to the Assembly, and request their concurrence therein.

The bill entitled, "An act authorising the appointment of a deputy and the employment of clerks in the State Engineer and Surveyor General's office," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Bond  
Mr. Brownson

Mr. Bush  
Mr. Fine  
Mr. Little

Mr. Martin  
Mr. Treadwell  
Mr. Wilkin

10

## FOR THE NEGATIVE.

Mr. Adams  
Mr. Betts  
Mr. Burch  
Mr. Clark

Mr. Coffin  
Mr. Cole  
Mr. Cook  
Mr. Floyd

Mr. Smith  
Mr. Tamblin  
Mr. Whallon

11

Mr. Bush moved a reconsideration of the vote just taken on the final passage of said bill, which motion was decided in the negative.

By unanimous consent,

Mr. Coffin presented a remonstrance against the petition of the recorder of the city of Hudson, which was referred to the select committee having that subject in charge.

By unanimous consent,

Mr. Treadwell, from the minority of the committee on roads and bridges, reported in writing adversely to the passage of the bill entitled, "An act to repeal an act to appoint commissioners to lay out a road from Palatine Bridge in Montgomery county, through Palatine, Ephratah, Pleasant Valley and Geroga, to lands belonging to the State in the county of Fulton, passed December 10, 1847," which was committed to the committee of the whole.

(See Senate Doc. No. 70.)

The bill entitled, "An act for the formation of banks," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Frost	Mr. Little
Mr. Bokee	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Bush		

13

## FOR THE NEGATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Burch	Mr. Floyd	Mr. Smith
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Williams

12

Mr. Ayrault moved a reconsideration of the vote just taken upon the final passage of said bill, which motion was laid on the table, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Little
Mr. Ayrault	Mr. Coffin	Mr. Martin
Mr. Bokee	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Bush		

13

## FOR THE NEGATIVE.

Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Burch	Mr. S. H. P. Hall	Mr. Smith
Mr. Cole	Mr. Hawley	Mr. Whallon
Mr. Cook	Mr. Johnson	Mr. Williams

12

Mr. S. H. P. Hall, from the committee on engrossed bills, reported as correctly engrossed eight several bills with the following titles, to wit :

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to re-sell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase money received from former sales of such lands and tenements," also

"An act to amend an act entitled, 'An act to amend an act concerning passengers in vessels coming to the city of New-York,' passed December 15, 1847," also

"An act to amend an act entitled, 'An act providing for the registry of births, marriages and deaths,' passed April 23, 1847," also

"An act for the relief of Holloway Long," also

"An act to pay John R. Green the avails of certain escheated land," also

"An act to declare the public use of a railroad from Lewiston to Niagara Falls on the most direct and eligible route," also

"An act releasing unto George H. Patterson and Robert D. Patterson a certain lot of ground in the seventh ward of the city of New-York," also

"An act to amend 'An act incorporating the village of Plattsburg,' passed April 26, 1831, and the acts amendatory thereof."

The Assembly returned the bill entitled, "An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The bill from the Assembly entitled, "An act legalising a certain conveyance of real estate made by the trustees of the Christian church in the town of Ellington," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Cook	Mr. Martin
Mr. Betts	Mr. Fine	Mr. Smith
Mr. Bokee	Mr. Floyd	Mr. Tamblin
Mr. Bond	Mr. Frost	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Williams
Mr. Clark	Mr. Johnson	

23

The bill from the Assembly entitled, "An act to authorise the trustees of the town of Flushing to erect a bulkhead in front of the public property on Flushing creek and to extend the town dock," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Little
Mr. Ayrault	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fuller	Mr. Smith
Mr. Bond	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Treadwell
Mr. Bush	Mr. Hawley	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Wilkin
Mr. Coffin	Mr. Lawrence	Mr. Williams

24

FOR THE NEGATIVE.

Mr. S. H. P. Hall

1

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill entitled, "An act for the settlement and payment of the expenses of James H. Sherrill incurred in defending himself from certain charges preferred before a select committee of the Senate," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cook	Mr. Hawley	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Little	Mr. Martin
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3

The bill entitled, "An act releasing unto George H. Patterson and Robert D. Patterson a certain lot of ground in the seventh ward of the city of New-York," was read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fuller	Mr. Martin
Mr. Ayrault	Mr. Geddes	Mr. Smith
Mr. Bond	Mr. W. Hall	Mr. Tamblin
Mr. Brownson	Mr. Hawley	Mr. Treadwell
Mr. Burch	Mr. Johnson	Mr. Whallon
Mr. Bush	Mr. Lawrence	Mr. Wilkin
Mr. Clark	Mr. Little	Mr. Williams
Mr. Fine		

22

The bill entitled, "An act to declare the public use of a railroad from Lewiston to Niagara Falls on the most direct and eligible route," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Coffin	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. Hawley	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Williams

21

The bill entitled, "An act to amend 'An act incorporating the village of Plattsburg,' passed April 26, 1831, and the several acts amendatory thereof," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Frost	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Coffin		

22

By unanimous consent,

Mr. Fuller introduced a bill entitled, "An act to amend an act entitled, 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' " which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cale	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Frost	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	Mr. Williams

27

*Ordered*, That the Clerk deliver the last five mentioned bills to the Assembly, and request their concurrence therein.

On motion of Mr. Geddes,

The Senate then proceeded to the reconsideration of the vote heretofore taken upon the final passage of the bill entitled, "An act to declare the public use of a railroad from Syracuse to Rochester on the most direct and eligible route," which motion was decided in the affirmative, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Smith
Mr. Betts	Mr. Fine	Mr. Tamblin
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Coffin	Mr. Geddes	

17

**FOR THE NEGATIVE.**

Mr. Ayrault	Mr. S. H. P. Hall	Mr. Lawrence
Mr. Bokee	Mr. Hawley	Mr. Martin
Mr. Brownson	Mr. Johnson	Mr. Wilkin
Mr. Frost		

10

The question then recurring upon the final passage of said bill, the same was laid on the table.

By unanimous consent,

Mr. Lawrence presented the memorial of the commissioners of emigration, which was referred to a select committee consisting of Messrs. S. H. P. Hall, Little and Coffin.

On motion of Mr. Fine,

The Senate then proceeded to the consideration of a motion heretofore made by him to reconsider the vote taken upon the bill entitled, "An act making an appropriation to the Prison Association of New-York," which motion was decided in the affirmative.

Said bill was then read the third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Fox	Mr. Lawrence
Mr. Betts	Mr. Frost	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. W. Hall	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Fine		

22

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Cole	Mr. Smith	6
Mr. Clark	Mr. Floyd	Mr. Whallon	

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 2 o'clock P. M. having past, Mr. Coffin moved to suspend the rule heretofore adopted by the Senate fixing the hours of meeting and taking a recess, and adjournment of the Senate.

The President decided said motion to be out of order, except by the unanimous consent of the Senate.

Mr. Bokee appealed from the decision of the President.

The President put the question, "Shall the decision of the Chair stand as the judgment of the Senate," which was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fox	Mr. Little	24
Mr. Betts	Mr. Frost	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Smith	
Mr. Brownson	Mr. Geddes	Mr. Tamblin	
Mr Burch	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Clark	Mr. Hawley	Mr. Whallon	
Mr. Cook	Mr. Johnson	Mr. Wilkin	
Mr. Floyd	Mr. Lawrence	Mr. Williams	

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Coffin	Mr. Cole	3
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The Assembly returned the bill entitled, "An act in relation to State Arsenal in the city of New-York," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly also returned the bill entitled, "An act in relation to public schools in the city of Syracuse," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Betts	Mr. Floyd	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence

Mr. Bond	Mr. Frost	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams

24

The Assembly returned the bill entitled, "An act to provide for the incorporation of bridge companies," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	

20

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Hawley
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2

The Assembly also returned the bill entitled, "An act to reduce the tolls of the Oswego Bridge Company," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Hawley
Mr. Bokee	Mr. Floyd	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Frost	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Wilkin
Mr. Cole	Mr. S. H. P. Hall	Mr. Williams
Mr. Cook	Mr. W. Hall	

23

*Ordered,* That the Clerk return the last three mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848, and for other purposes," which was committed to the committee of the whole.

Mr. Floyd moved that the Senate do now adjourn, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. S. H. P. Hall	
Mr. Betts	Mr. Frost	Mr. Whallon	6

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Cook	Mr. Hawley	
Mr. Bond	Mr. Fine	Mr. Johnson	
Mr. Brownson	Mr. Fox	Mr. Lawrence	
Mr. Burch	Mr. Fuller	Mr. Martin	
Mr. Bush	Mr. Geddes	Mr. Wilkin	
Mr. Coffin	Mr. W. Hall	Mr. Williams	
Mr. Cole			19

The Assembly returned the bill entitled, "An act to facilitate the determination of existing suits in the courts of this State," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fox	Mr. Johnson	
Mr. Bokee	Mr. Frost	Mr. Lawrence	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Bush	Mr. Geddes	Mr. Treadwell	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cole	Mr. W. Hall	Mr. Wilkin	
Mr. Fine	Mr. Hawley		20

## FOR THE NEGATIVE.

Mr. Clark	Mr. Floyd	Mr. Williams	3
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

By unanimous consent,

Mr. Cook, from the select committee, reported complete the bill entitled, "An act to authorise the common council of the city of Schenectady to loan the credit of said city for the construction of a plank road," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Assembly returned the bill entitled, "An act to appropriate portions of the income of the United States Deposit and Literature funds to certain colleges and academies, and for other purposes," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. W. Hall
Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokes	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Coffin		

22

FOR THE NEGATIVE.

Mr. Fuller	Mr. Wilkin
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2

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

By unanimous consent,

Mr. Johnson from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act appropriating money to the Stockbridge Indians," which was referred to a select committee consisting of Messrs. Whallon, Brownson and Johnson, to consider and report complete.

Afterwards, by unanimous consent,

Mr. Brownson, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokes	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. W. Hall	

26

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act to amend the act in relation to justices and police courts in the city of New-York, passed March 30, 1848," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned three several bills with the following titles, to wit:

"An act in relation to courts of record in Oswego county," also

"An act making appropriations to the Western House of Refuge," also

"An act incorporating the Sackett Harbor and Saratoga Railroad Company;" with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to punish the procurement of abortion, and for other purposes,' passed May 13, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit:

"An act in relation to the navigation of the East river by steam-boats," also

"An act in relation to the navigation of the East river by steam-boats," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on commerce and navigation, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act to incorporate the Brooklyn and Jamaica Railroad Company, passed April 15, 1832," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to regulate the taking of oysters, clams, and other shell fish in the bays and harbors in the town of North Hempstead," which was read the first time, and by unanimous consent was also read a second time, and referred to the Senators from the first and second Senate districts, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to prevent the destruction of fish in Big Sandy Creek," which was read the first time, and by unanimous consent was also read a second time, and referred to the Senators from the twenty-first and twenty-second Senate districts, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Dry Dock Savings Bank in the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the State officers and to provide for the expenses thereof," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act for the relief of St. Mary's church in the city of Rochester," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd for work done on the Genesee Valley canal," which was read the first time, and by unanimous consent was also read a second time and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorize and establish a recorder's court in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to dispose of certain vacant and unoccupied lands belonging to the Onondaga salt springs reservation, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Geddes, Floyd and Burch, to consider and report complete.

Three several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to authorise the Canal Board to grant a rehearing to John B. Ives on his claim for extra allowance for work done on the Erie canal enlargement," also

"An act to authorise the appraisal and payment of damages to John Donnelly," also

"An act to provide for the appraisal and payment of canal damages to Cicero Collins, Charles W. Woolston and Erastus Hughes," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the commissioners of highways of the town of Chesterfield to borrow money to build a bridge," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act for the presentation of a copy of the Natural History of this State to the patent office at Washington, to the New-York Historical Society, and to the Smithsonian Institute," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to change the name of Henry P. Reynolds and William W. Reynolds to Henry P. Keith and William W. Keith," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the obtaining and preserving statistical information of the annual resources of this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence entitled, "An act to fix the time for electing officers for the Seneca Indians residing on the Cattaraugus and Allegany reservations in this State," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs.

A motion to adjourn was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts

Mr. S. H. P. Hall      Mr. Williams  
Mr. Smith

## FOR THE NEGATIVE.

Mr. Adams	Mr. Coffin	Mr. Geddes
Mr. Bokee	Mr. Cole	Mr. Hawley
Mr. Bond	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Floyd	Mr. Little
Mr. Bush	Mr. Fox	Mr. Martin
Mr. Clark	Mr. Fuller	Mr. Whallon

18

A bill was received from the Assembly for concurrence entitled, "An act to preserve a fair competition between the Albany and Schenectady Railroad Company and the Troy and Schenectady Railroad Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence entitled, "An act to amend 'An act for the improvement of highways in the county of Richmond,' passed May 7, 1847," which was read the first time.

Mr. Smith moved to lay said bill on the table, which motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Ayrault	Mr. Cole	Mr. Little
Mr. Betts	Mr. Cook	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Williams
Mr. Bush		

19

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Floyd	Mr. Hawley
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Fine	Mr. Geddes	

9

Mr. Floyd moved a reconsideration of the vote just taken, which motion was laid on the table, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson
Mr. Bokee	Mr. Cole	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. W. Hall	

17

## FOR THE NEGATIVE.

Mr. Betts  
Mr. Clark

Mr. Fine  
Mr. Floyd

Mr. Hawley  
Mr. Whallon

6

A bill was received from the Assembly for concurrence entitled, "An act authorising the Canal Board to cause the route of a canal to be surveyed uniting Big Sodus bay with the Erie canal," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

Mr. Cook moved that the Senate do now adjourn, which motion was decided in the affirmative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bond  
Mr. Brownson  
Mr. Burch

Mr. Cook  
Mr. Fox  
Mr. S. H. P. Hall  
Mr. Johnson  
Mr. Lawrence

Mr. Little  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

16

## FOR THE NEGATIVE.

Mr. Bokee  
Mr. Bush  
Mr. Clark  
Mr. Coffin

Mr. Cole  
Mr. Fine  
Mr. Floyd  
Mr. Fuller

Mr. Geddes  
Mr. W. Hall  
Mr. Hawley  
Mr. Martin

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Then the Senate adjourned until 10 o'clock Monday morning.

MONDAY, 10 O'CLOCK, A. M., APRIL 10, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Canahy.

The reading of the journal of yesterday was dispensed with.

On motion of Mr. Fuller, and by unanimous consent,

The Senate then spent some time in committee of the whole upon several bills from the Assembly with the following titles, to wit :

"An act making an appropriation to the Genesee Valley canal," also

"An act in relation to the canal debt falling due on the first day of July, 1848," also

"An act in relation to the Chemung canal," also

"An act in relation to the funds appropriated for the canals," also

"An act to provide for the deficiencies in the sinking funds under the provisions of article seven of the Constitution," also

"An act in relation to the Chemung canal," also

"An act making an appropriation to the Black river canal and Erie canal feeder," also

"An act making an appropriation for the Erie canal enlargement," and Mr. Smith, from said committee, reported said bills to the Senate.

The report of the committee of the whole upon the first six mentioned bills was agreed to, and said bills ordered to a third reading.

Mr. Floyd moved to amend the report of the committee of the whole upon said last mentioned bill, by adding at the end of the first section thereof, as follows :

"The amount of surplus revenue for the one-third of the year ending the 30th day of September, 1846, applicable to the completion of the Erie canal enlargement and the Genesee Valley canal and Black river canal shall be deemed to be \$117,620 . 37."

Which motion was decided in the negative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Fine

Mr. Floyd  
Mr. Smith

Mr. Whallon

5

#### FOR THE NEGATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark

Mr. Cole  
Mr. Cook  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. W. Hall  
Mr. Hawley  
Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell

19

On motion of Mr. Wilkin, and by unanimous consent;

*Resolved*, That the President appoint a committee of three Senators to examine into the situation of the funds of the court of chancery, now in the hands of the clerk of the court of appeals, previous to the distribution of the securities for the same in the several counties of this State, and that the committee have power to send for persons and papers, and have leave to sit during the recess of the Senate, and report thereon to the Senate at its next session.

*Ordered*, That Messrs. Wilkin, Adams and Cook, be said committee.

The bill from the Assembly entitled, "An act making an appropriation to the Genesee Valley canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Burch	Mr. W. Hall	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Cole	Mr. Johnson	Mr. Williams

24

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith
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2

The bill from the Assembly entitled, "An act in relation to the canal debt falling due on the first day of July, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley
Mr. Ayrault	Mr. Floyd	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Brownson	Mr. Geddes	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Smith
Mr. Cole	Mr. W. Hall	Mr. Treadwell
Mr. Cook		

22

## FOR THE NEGATIVE.

Mr. Tamblin
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1

The bill from the Assembly entitled, "An act making an appropriation to the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate vo-

ting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	

20

FOR THE NEGATIVE.

Mr. Smith	1
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The bill from the Assembly entitled, "An act making an appropriation to the Black river canal and Erie canal feeder," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Lawrence
Mr. Ayrault	Mr. Fuller	Mr. Little
Mr. Bokee	Mr. Geddes	Mr. Martin
Mr. Brownson	Mr. W. Hall	Mr. Treadwell
Mr. Bush	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Johnson	Mr. Williams

18

FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	2
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The bill from the Assembly entitled, "An act in relation to the Chemung canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Little

Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

23

## FOR THE NEGATIVE.

Mr. Floyd 1

The bill from the Assembly entitled, "An act to provide for deficiencies in the sinking funds under the provisions of article seven of the Constitution," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Fuller	Mr. Little
Mr. Bond	Mr. Geddes	Mr. Martin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Williams
Mr. Cook		

23

## FOR THE NEGATIVE.

Mr. Floyd Mr. Smith 2

The bill from the Assembly entitled, "An act in relation to the funds appropriated for the canals," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Betts	Mr. Fuller	Mr. Martin
Mr. Bokee	Mr. Geddes	Mr. Treadwell
Mr. Bond	Mr. S. H. P. Hall	Mr. Whallon
Mr. Brownson	Mr. W. Hall	Mr. Wilkin
Mr. Bush	Mr. Hawley	Mr. Williams
Mr. Cole	Mr. Johnson	

23

*Ordered*, That the Clerk return the last seven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The several orders of business was then laid on the table, until the Senate reached the order of motions and resolutions.

Mr. Coffin moved to rescind the rule heretofore adopted by the Senate fixing the hours of meeting, of taking a recess and adjournment of the Senate, which motion was decided in the affirmative.

On motion of Mr. Treadwell,

The Senate then proceeded to the consideration of the following concurrent resolution heretofore received from the Assembly :

*Resolved*, (if the Senate concur,) That the Attorney General be instructed carefully to inquire and ascertain whether, in any of the lands of this State now claimed to be held under any of the manorial titles referred to in this report, the claim of the present landlords be open to just doubt and question, and whether in his judgment this State may justly and legally lay claim to the title of the same or to any part thereof, by escheat or otherwise ; and if in his opinion the title of the present claimants may be justly questioned, and the right of the State to such lands, or any part of the same, be established according to law, that he take such measures, either by suit at law or other proper proceedings as will test the validity of such titles or claims.

Mr. Johnson moved the following preamble and resolution as a substitute for said resolution from the Assembly :

*Whereas*, The people of this State have adopted, and hitherto adhered to the wise and just policy of quieting titles to real estate, for the purpose of encouraging industry and improvement by protecting owners from the litigation and losses resulting from continued agitation of questions concerning their titles ; and in pursuance of such policy, under the colonial government of the State, passed laws confirming and establishing the rights of persons possessing lands and manors under grants from the government, and limiting the time during which claims of the State or individuals adverse to such rights should be litigated ; and under the State government, by repeated legislative enactments, have established and confirmed the principle of the law as now enacted in the Revised Statutes, that "the people of this State will not sue or implead any person for or in respect to any lands, tenements or hereditaments, or for the rents, issues or profits thereof, by reason of any right or title of the people to the same, unless, 1st. Such right or title shall have accrued within twenty years before any suit or other proceeding for the same shall be commenced ; or unless, 2d. The said people, or those for whom they claim shall have received the rents and profits of such real estate, or some part thereof, within the said space of twenty years." And,

*Whereas*, Any directions of the Legislature in general terms, for the institution of proceedings for the recovery of lands held under colonial or State grants, would be an abandonment of the well settled policy and law of the State, and tend unjustly to excite doubts

as to the titles of all persons holding under patents from the government, and prevent or delay the amicable adjustment of mutual claims, founded and depending upon the validity and stability of the laws and grants of the State; therefore,

*Resolved*, That the direction or encouragement, by the Legislature, of litigation concerning rights long enjoyed by citizens under grants and confirmations of the State, would be contrary to the true policy and duty of the government, oppressive to citizens compelled to litigate with the power that should protect them, and would tend to diminish that confidence which citizens should ever feel in the justice and stability of the laws and acts of their government; and if such litigation should be directed in the name and under the power of the State for any other purpose than a recovery for the sole benefit and use of the State, it would be a perversion of the powers of government from the duty of protection to purposes of maintenance and oppression.

The President put the question upon agreeing to said motion, which was decided in the negative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Floyd	Mr. Lawrence	
Mr. Bond	Mr. Johnson		5

## FOR THE NEGATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Betts	Mr. Cook	Mr. Martin	
Mr. Brownson	Mr. Fine	Mr. Smith	
Mr. Burch	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Geddes	Mr. Treadwell	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon	18

The President then put the question upon concurring in said resolution, which was decided in the affirmative, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little	
Mr. Betts	Mr. Fine	Mr. Martin	
Mr. Brownson	Mr. Fox	Mr. Tamblin	
Mr. Bush	Mr. Geddes	Mr. Treadwell	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Cole	Mr. Hawley	Mr. Williams	18

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Johnson	Mr. Smith
Mr. Hurch		

*Ordered*, That the Clerk return said resolution to the Assembly, and inform them that the Senate have concurred therein.

On motion of Mr. Hawley,

*Ordered*, That the Senate will hereafter meet at 9 o'clock, A. M.

On motion of Mr. Tamblin,

The Senate then proceeded to the consideration of concurrent resolutions heretofore offered by him in the words following, to wit :

*Resolved*, (if the Assembly concur,) That we, the Representatives of the people of the State of New-York, convened in Senate and Assembly, in the name and on behalf of the people of the State, express to the citizens of the Republic of France, and to the members of the Provisional Government, our ardent congratulations on the achievement of their liberties, and the blessings of free government. That the ability, magnanimity and firmness manifested by the people in a fearful and trying crisis, inspire us with the most profound admiration, and with a happifying confidence that these characteristics of a great and noble minded people will secure the firm establishment of free and enlightened institutions for the protection of those inestimable rights of man, which have been so heroically won. That ever mindful of the past, when French and American blood was mingled on the battle fields of America, in the sacred cause of liberty, the unfeigned gratitude to our efficient allies, inspired by the events of our struggle for liberty, must be greatly heightened by a sympathy, inspired by a similarity of sentiments, and of civil and political institutions. That the Republic of France may long endure ; that her citizens may forever enjoy those rights and privileges which are essential to the dignity and happiness of man ; and that the wisdom of her counsels may form a new assurance of the utility of popular governments, is the most ardent desire of the people of this State.

*Resolved*, (if the Assembly concur,) That these resolutions be signed by the President of the Senate and the Speaker of the Assembly, and that the Governor be requested to forward the same to the Secretary of State of the United States, with a request that the same be transmitted to the constituted authorities of the French Republic.

Without taking any question thereon,

Mr. Coffin moved to lay the same on the table, which motion was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Brownson  
Mr. Burch  
Mr. Clark

Mr. Coffin  
Mr. Geddes  
Mr. W. Hall  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Williams

FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Tamblin
Mr. Betts	Mr. Fox	Mr. Treadwell
Mr. Cook	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Smith	

11

On motion of Mr. Coffin,

*Resolved*, That a select committee be appointed to investigate the manner in which the work has been done on the new State Arsenal now building in the city of New-York, and the expenditures thereon by and under the direction of the late Commissary General under the act of May 4, 1844, and also into the other accounts of said late Commissary General, and his disposition of the public money; that said committee be, and are hereby empowered, to send for persons and papers, and to sit during the recess of the Legislature, and that they report to the Legislature at its next session.

*Ordered*, That Messrs. Coffin, Floyd and Cole, be said committee.

Mr. Treadwell offered a resolution in the words following, to wit:

*Resolved*, That the bill from the Assembly entitled, "An act in relation to the expenses incurred in excavating the Albany basin," be made the special order for this day.

The President put the question upon agreeing to said resolution, which was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams

15

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Betts	Mr. Fuller	Mr. Martin
Mr. Bokee	Mr. Geddes	Mr. Smith
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	

14

On motion of Mr. Cook, and by unanimous consent,

*Ordered*, That the bill from the Assembly entitled, "An act to incorporate the American Dramatic Fund Association," be taken from the table and ordered to a third reading.

Mr. Brownson gave notice that he would move to suspend the 10th and 11th joint rules of the Senate and Assembly with reference

to any bill which the Senate may desire to transmit to the Assembly for concurrence.

On motion of Mr. Burch,

*Ordered*, That the memorialists for the appointment of commissioners to lay out a road in the towns of Frankfort and Schuyler, have leave to withdraw their memorials.

On motion of Mr. Cook,

*Ordered*, That the petitioners for an act for the purchase of a bridge between the towns of Hadley and Luzerne have leave to withdraw their petitions and papers accompanying the same.

On motion of Mr. Bond,

*Ordered*, That the committee on the judiciary be discharged from the further consideration of the bill from the Assembly entitled, "An act to release the interest of the State in certain lands to the heirs of Gavin Hamilton," and that the same be referred to a select committee consisting of Messrs. Little, Burch and Bond, to consider and report complete.

Afterwards,

Mr. Bond, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise a loan to the counties of Erie, Genesee and Orleans, for the purpose of building a bridge across the Tonawanda creek near Tonawanda village," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported complete the bill from the Assembly entitled, "An act to organise and establish a recorder's court in the city of Oswego," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the committee on roads and bridges, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of companies to construct plank roads and companies to construct turnpike roads,' passed May 7, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the town of Worth in the county of Jefferson," which, by unanimous consent, was ordered to a third reading.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of three several bills from the Assembly, with the following titles, to wit:

"An act to amend an act entitled, 'An act to punish the procurement of abortion, and for other purposes,' passed May 13, 1845," also

"An act in relation to commissioners of other states," also

"An act to change the name of James White Bowen to James P. White," which were severally committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act authorising the building of bridges over the Erie canal and the Genesee Valley canal in the city of Rochester," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to paving and grading streets in the village of Cohoes in the county of Albany," which was committed to the committee of the whole.

(See Senate Bill No. 189.)

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise a tax upon the town of Lyons to build a bridge in said town," which was referred to a select committee consisting of Messrs. Geddes, Betts and Lawrence, to consider and report complete.

Mr. Floyd, from the committee on grievances, reported in favor of the passage of the bill from the Assembly entitled, "An act to enable Mary Croghan to hold and convey certain real estate," which was referred to a select committee consisting of Messrs. Floyd, Fox and Coffin, to consider and report complete.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the committee on state prisons be discharged from the further consideration of the petition of John G. Forbes and other citizens of the county of Onondaga praying that the terms of imprisonment in the State prisons for first offences may be shortened, &c., and that the same be laid on the table.

On motion of Mr. Smith,

*Ordered*, That the committee on roads and bridges be discharged from the further consideration of the petition of sundry inhabitants of Poughkeepsie asking for an alteration of the law for electing overseers of highways, and that the same be laid on the table.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Matthew Sayre," which report was agreed to by the Senate.

Mr. Smith, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act for the appraisal and payment of canal damages to Herman Terwilliger," which report was agreed to by the Senate.

Mr. Johnson, from the committee on railroads, reported adversely to the passage of the bill from the Assembly entitled, "An act to

to any bill which the Senate may desire to transmit to the Assembly for concurrence.

On motion of Mr. Burch,

*Ordered*, That the memorialists for the appointment of commissioners to lay out a road in the towns of Frankfort and Schuyler, have leave to withdraw their memorials.

On motion of Mr. Cook,

*Ordered*, That the petitioners for an act for the purchase of a bridge between the towns of Hadley and Luzerne have leave to withdraw their petitions and papers accompanying the same.

On motion of Mr. Bond,

*Ordered*, That the committee on the judiciary be discharged from the further consideration of the bill from the Assembly entitled, "An act to release the interest of the State in certain lands to the heirs of Gavin Hamilton," and that the same be referred to a select committee consisting of Messrs. Little, Burch and Bond, to consider and report complete.

Afterwards,

Mr. Bond, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise a loan to the counties of Erie, Genesee and Orleans, for the purpose of building a bridge across the Tonawanda creek near Tonawanda village," which was committed to the committee of the whole.

Mr. Wilkin, from the committee on the judiciary, reported complete the bill from the Assembly entitled, "An act to organise and establish a recorder's court in the city of Oswego," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the committee on roads and bridges, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of companies to construct plank roads and companies to construct turnpike roads,' passed May 7, 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams, from the committee on the division of towns and counties, reported in favor of the passage of the bill from the Assembly entitled, "An act to erect the town of Worth in the county of Jefferson," which, by unanimous consent, was ordered to a third reading.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of three several bills from the Assembly, with the following titles, to wit:

"An act to amend an act entitled, 'An act to punish the procurement of abortion, and for other purposes,' passed May 13, 1845," also

"An act in relation to commissioners of other states," also

"An act to change the name of James White Bowen to James P. White," which were severally committed to the committee of the whole.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act authorising the building of bridges over the Erie canal and the Genesee Valley canal in the city of Rochester," which was committed to the committee of the whole.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to paving and grading streets in the village of Cohoes in the county of Albany," which was committed to the committee of the whole.

(See Senate Bill No. 189.)

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise a tax upon the town of Lyons to build a bridge in said town," which was referred to a select committee consisting of Messrs. Geddes, Betts and Lawrence, to consider and report complete.

Mr. Floyd, from the committee on grievances, reported in favor of the passage of the bill from the Assembly entitled, "An act to enable Mary Croghan to hold and convey certain real estate," which was referred to a select committee consisting of Messrs. Floyd, Fox and Coffin, to consider and report complete.

On motion of Mr. S. H. P. Hall,

*Ordered*, That the committee on state prisons be discharged from the further consideration of the petition of John G. Forbes and other citizens of the county of Onondaga praying that the terms of imprisonment in the State prisons for first offences may be shortened, &c., and that the same be laid on the table.

On motion of Mr. Smith,

*Ordered*, That the committee on roads and bridges be discharged from the further consideration of the petition of sundry inhabitants of Poughkeepsie asking for an alteration of the law for electing overseers of highways, and that the same be laid on the table.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Matthew Sayre," which report was agreed to by the Senate.

Mr. Smith, from the same committee, reported adversely to the passage of the bill from the Assembly entitled, "An act for the appraisal and payment of canal damages to Herman Terwilliger," which report was agreed to by the Senate.

Mr. Johnson, from the committee on railroads, reported adversely to the passage of the bill from the Assembly entitled, "An act to

declare the public use of a railroad from Rochester to Lewiston," which report was agreed to by the Senate.

Mr. Geddes, from the committee on roads and bridges, reported adversely to the passage of the bill from the Assembly entitled, "An act to authorise Francis E. Erwin to erect and maintain a dam across the Cohocton river and across Mead's creek in the county of Steuben," which report was agreed to by the Senate.

Mr. Lawrence, from the committee on finance, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for obtaining and preserving statistical information of the annual resources of this State," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return the last five mentioned bills to the Assembly, and inform them that the Senate do non-concur in the passage thereof severally.

On motion of Mr. Fuller,

*Ordered*, That the committee on canals be discharged from the further consideration of the bill entitled, "An act to revive and continue an act entitled, 'An act to incorporate the Chenango junction canal company,' passed May 12, 1846," also of the several petitions for the appointment of guardians for canal boys, &c., and that the same be laid on the table.

On motion of Mr. Cook,

*Ordered*, That the committee on claims be discharged from the further consideration of the bill from the Assembly entitled, "An act to authorise the payment of the claim of John I. Walrath for canal damages," also of the petition of Platt Williams for damages, also of the petition of N. B. Doe, and also of the petition of Mary Murray and others, and that the same be laid on the table.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the Canal Board to grant a rehearing to John B. Ives on his claim for extra allowance for work done on the Erie canal enlargement," which was referred to a select committee consisting of Messrs. Williams, Ayrault and Bond, to consider and report complete.

Mr. Fuller, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd for work done on the Genesee Valley canal," which was referred to a select committee consisting of Messrs. Lawrence, Treadwell and Wilkin, to consider and report complete.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act in relation to the State officers and to provide for the expenses thereof," which, by unanimous consent, was ordered to a third reading.

Mr. Ayrault, from the committee on banks and insurance companies, reported complete the bill entitled, "An act to incorporate the Dry Dock Savings Bank in the city of New-York," with amendments, and with the title thereof altered so as to read as follows:

"An act to incorporate the New-York Savings Institution in the city of New-York," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Fuller, from the committee on canals, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Cicero Collins, Charles W. Woolston and Erastus Hughes," which was referred to a select committee consisting of Messrs. Fuller, Fine and W. Hall, to consider and report complete.

Mr. Fuller, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorize the appraisal and payment of canal damages to John Donnelly," which was referred to a select committee consisting of Messrs. Little, Adams and Clark, to consider and report complete.

Mr. Burch from the committee on commerce and navigation, reported complete two several bills with the following titles, to wit:

"An act in relation to the navigation of the East river by steamboats," also

"An act to incorporate the Oswegatchie Navigation Company," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Little, from the committee on charitable and religious societies, reported complete the bill from the Assembly entitled, "An act for the relief of St. Mary's church in the city of Rochester," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Johnson, from the committee on railroads, reported in favor of the passage of the bill from the Assembly entitled, "An act to declare the public utility of a railroad from Fishkill landing to the easterly line of the State of New-York," which was referred to a select committee consisting of Messrs. Coffin, Hawley and Fuller, to consider and report complete.

Mr. Johnson, from the same committee, reported in favor of the passage of the bill from the Assembly entitled, "An act to declare the public use of a railroad from Buffalo to the State line between New-York and Pennsylvania," which was referred to a select committee consisting of Messrs. Bush, Martin and Smith, to consider and report complete.

Mr. Johnson, from the committee on Indian affairs, reported in favor of the passage of the bill from the Assembly entitled, "An act to fix the time for electing officers for the Seneca Indians residing on the Cattaraugus and Allegany reservations," which was referred to a select committee consisting of Messrs. Bokee, Burch and Tamblin, to consider and report complete.

Mr. Bond from the committee on literature, reported a bill entitled, "An act relative to the Monroe Academy in the town of Onondaga," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Afterwards,

Said bill was read the third time and passed, a majority of all the

members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams
Mr. Cole	Mr. Lawrence	

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A resolution to suspend the 10th and 11th joint rules having been adopted and concurred in,

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," which was committed to the committee of the whole.

Mr. Lawrence, from the same committee, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," which was committed to the committee of the whole.

On motion of Mr. Little,

*Ordered*, That the committee on charitable and religious societies be discharged from the further consideration of the petition of Herman Boker and others, of the city of New-York, for the incorporation of a society in said city for the protection of emigrants, and that the same be laid on the table.

Mr. Burch, from the committee on commerce and navigation, reported a bill entitled, "An act in relation to the salary of the health officer of the city of New-York," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 191.)

Mr. Geddes, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to regulate the time in which labor is to be performed on the highway in certain cases," which was referred to a select committee consisting of Messrs. Johnson, Martin and Brownson, to consider and report complete.

Afterwards,

Mr. Brownson, from said committee, reported said bill complete with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Burch, from the committee on commerce and navigation, reported in favor of the passage of the bill from the Assembly entitled, "An act to incorporate the Port Richmond and Bergen Point Ferry company," which was referred to a select committee consisting of Messrs. Brownson, Martin and Floyd, to consider and report complete.

Afterwards,

Mr. Brownson, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Floyd,

*Ordered*, That the committee on grievances be discharged from the further consideration of the memorial of John McDonald respecting county expenses, and that the same be laid on the table.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage, with amendments, of the bill from the Assembly entitled, "An act to regulate the issues of the safety fund banks, and for other purposes."

Mr. Ayrault moved to refer said bill to a select committee to consider and report complete.

Mr. Adams moved to refer said bill to the committee of the whole, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Johnson	
Mr. Burch	Mr. Hawley	Mr. Whallon	6

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Coffin	Mr. W. Hall	
Mr. Bokee	Mr. Oole	Mr. Lawrence	
Mr. Bond	Mr. Cook	Mr. Little	
Mr. Brownson	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Wilkin	
Mr. Clark	Mr. S. H. P. Hall		17

The President then put the question upon agreeing to said motion of Mr. Ayrault, which was decided in the affirmative.

Thereupon,

*Ordered*, That Messrs. Ayrault, Cook, Floyd, Clark and Adams, be said committee.

The bill from the Assembly entitled, "An act to amend 'An act for the improvement of highways in the county of Richmond,' passed May 7, 1847," was the second time, and referred to the committee on roads and bridges to consider and report complete.

Mr. Johnson, from the committee on railroads, reported adversely to the petition of citizens of Orleans county praying for the chartering of a company to construct a railroad from Rochester to Lewiston, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioners be denied.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill entitled, "An act to allow Joseph Wood to take the oath of office of justice of the peace," which was referred to a select committee consisting of Messrs. Adams, Smith and Wilkin, to consider and report complete.

Afterwards,

Mr. Wilkin, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Afterwards,

Said bill was reported as correctly engrossed.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE,

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Coffin	Mr. Hawley	

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#### FOR THE NEGATIVE.

Mr. Tamblin

1

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Coffin, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to vest certain powers in the recorder of the city of Hudson," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Coffin moved that the Senate do now proceed to the consideration of the report of the select committee upon the bill entitled, "An act to provide for the public printing," which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Brownson	Mr. Cook	Mr. Treadwell
Mr. Bush	Mr. Fox	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

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## FOR THE NEGATIVE.

Mr. Adams	Mr. Clark	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Tamblin
Mr. Bond	Mr. Geddes	Mr. Whallon
Mr. Burch		

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Mr. Ayrault, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act in relation to the Canadian and Nova Scotia refugee tract in the town of Plattsburg," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Geddes, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise a tax, upon the town of Lyons to build a bridge in said town," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the committee on roads and bridges, reported complete two several bills with the following titles, to wit:-

"An act to amend 'An act for the improvement of highways in the county of Richmond,' passed May 7, 1847," also

"An act to authorise the commissioners of highways of the town of Chesterfield to borrow money to build a bridge," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of the bill from the Assembly entitled, "An act for the settlement of the claim of Hiram Mann against the Bank of Lyons," which, by unanimous consent, was ordered to a third reading.

Mr. Bond, from the committee on literature, reported complete the bill from the Assembly entitled, "An act for the presentation of a copy of the Natural History of this State to the patent office at Washington, to the New-York Historical Society, and to the Smithsonian Institute," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported complete the bill from the Assembly entitled, "An act to amend the charter of the city of Syracuse," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Geddes, from the select committee, reported complete the bill from the Assembly entitled, "An act to dispose of certain vacant and

unoccupied lands belonging to the Onondaga salt springs reservation, and for other purposes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Wilkin, from the committee on the judiciary, reported complete the bill from the Assembly entitled, "An act to change the name of Henry P. Reynolds and William W. Reynolds to Henry P. Keith and William W. Keith," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of the bill entitled, "An act to erect the town of North Butternuts in the county of Oswego," also of seven several bills from the Assembly with the following titles, to wit:

"An act to authorise Samuel W. Harned to construct a set of ways for launching vessels," also

"An act making appropriations to the dispensaries in the city of New-York," also

"An act to provide for the assessment of damages occasioned by laying out, altering or discontinuing any highway between the 31st day of December 1846 and the 14th day of December 1847;" also

"An act to authorise the payment of the claim of Christopher Adams for work done on the old State Hall," also

"An act to annex a part of the town of Pultney to the town of Urbana in the county of Steuben," also

"An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hayt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hayt," also

"An act to authorise the board of supervisors of the county of Albany to relieve John J. Ross," and referring the same to select committees to consider and report complete.

Thereupon,

*Ordered,* That the bill entitled, "An act to erect the town of North Butternuts in the county of Oswego," be referred to a select committee consisting of Messrs. S. H. P. Hall, Tamblin and Bond, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to authorise the board of supervisors of the county of Albany to relieve John J. Ross," be referred to a select committee consisting of Messrs. Brownson, Bush and Smith, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hayt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hayt," be referred to a select committee consisting of Messrs. Bond, Hawley and Williams, to consider and report complete.

*Ordered,* That the bill from the Assembly entitled, "An act to annex a part of the town of Pultney to the town of Urbana in the county of Steuben," be referred to a select committee consisting of Messrs. Betts, Fox and W. Hall, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to provide for the assessment of damages occasioned by laying out, altering or discontinuing any highway between the first day of December, 1846, and the 14th day of December, 1847," be referred to a select committee consisting of Messrs. Adams, Clark and Little, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise the payment of the claim of Christopher Adams for work done on the old State Hall," be referred to a select committee consisting of Messrs. Treadwell, Cook and Floyd, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act making appropriations to the dispensaries in the city of New-York," be referred to a select committee consisting of Messrs. Johnson, Fine and Fuller, to consider and report complete.

*Ordered*, That the bill from the Assembly entitled, "An act to authorise Samuel W. Harned to construct a set of ways for launching vessels," be referred to a select committee consisting of Messrs. Treadwell, Wilkin and Cole, to consider and report complete.

Mr. Adams, from said select committee, reported in favor of discharging the committee of the whole from the further consideration of the bill from the Assembly entitled, "An act for the appointment of wreck-masters in Suffolk, Queens, Kings, Richmond and Westchester counties," and referring the same to a select committee to consider and report complete, which report was agreed to by the Senate.

Mr. Floyd moved a reconsideration of the vote just taken upon agreeing to the report of said select committee.

Without taking any question thereon,

The Senate took a recess until 3½ o'clock P. M.

HALF PAST 3 O'CLOCK P. M.

The Senate again met.

The Assembly returned the bill entitled, "An act in relation to the Clinton State Prison," with a message informing that they had passed the same with the amendments therewith delivered, which were referred to the committee on state prisons.

The Assembly returned the bill entitled, "An act making appropriations for the Sing Sing Prison," with a message informing that they had passed the same with the amendments therewith delivered, which was referred to the same committee.

The Assembly returned the bill entitled, "An act to amend the act passed December 14, 1847, entitled 'An act to amend the act en-

titled, 'An act in relation to the judiciary,' passed May 12, 1847," with a message informing that they had passed the same with the title thereof altered so as to read as follows: "An act to amend the third section of the act passed December 14, 1847, entitled 'An act to amend the act entitled, 'An act in relation to the judiciary,' passed May 12, 1847,'" which amendments were concurred in, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Floyd	Mr. Treadwell
Mr. Brownson	Mr. Fox	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin	Mr. Hawley	

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The Assembly returned the bill entitled, "An act to amend an act entitled, 'An act in relation to the judiciary,' passed May 12, 1847," with a message informing that they had passed the same with the amendments therewith delivered, and with the title thereof altered so as to read as follows: "An act to provide for the publication of the reports of the court of appeals," which amendments were read and concurred in, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Bokee	Mr. Cook	Mr. Johnson
Mr. Brownson	Mr. Fine	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin		

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## FOR THE NEGATIVE.

Mr. Floyd

1

*Ordered,* That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

Afterwards the Assembly returned said bills.

Thereupon,

*Ordered,* That the same be delivered to the Governor.

The Senate then proceeded to the consideration of the motion made by Mr. Floyd to reconsider the vote taken upon referring the

bill from the Assembly entitled, "An act for the appointment of wreck-masters in Suffolk, Queens, Kings, Richmond and Westchester counties," to a select committee, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith	
Mr. Fine	Mr. Hawley	Mr. Whallon	6

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Cook	Mr. Johnson	
Mr. Bond	Mr. Fox	Mr. Little	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. Geddes	Mr. Treadwell	
Mr. Bush	Mr. S. H. P. Hall	Mr. Williams	
Mr. Coffin	Mr. W. Hall		17

Thereupon,

*Ordered*, That said bill be referred to a select committee consisting of Messrs. Bush, Cole and Hawley, to consider and report complete.

Four several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act to provide for the settlement and payment of the claim of Isaac Ledyard and John B. Matthews for work done on the Erie canal enlargement," also

"An act authorising the appraisal and payment of canal damages to Frederick Green and Theodorus Catlin," also

"An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Rome," also

"An act authorising the appraisal and payment of canal damages to Marcus Adams," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence entitled, "An act to require superintendents of the poor to give bonds," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the Comptroller to make temporary loans to supply any deficit in the treasury," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on finance.

Two several bills were also received from the Assembly for concurrence, with the following titles, to wit :

"An act authorising a loan to the county of Saratoga to build a bridge across the Hudson river," also

"An act authorising a loan to the county of Warren to build a bridge across the Hudson river," which were severally read the first time, and by unanimous consent were also read a second time, and referred to the committee on roads and bridges, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act authorising the supervisors of the county of Kings to create a loan and provide further accommodations for the confinement of prisoners,' passed April 21, 1846," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Bokee, Smith and S. H. P. Hall, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act authorising the supervisors of Oneida county to borrow money to rebuild a court house and jail in said county," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on public buildings, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the city of Albany to raise money by tax to build a district school house," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on literature, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act further to amend, 'An act for the collection of taxes in the city of Albany,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to pay the city of Syracuse for certain improvements on State lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the Neptune Ocean Steamship Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act for the preservation of fish in the Hudson river," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Smith, Treadwell and Williams, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to amend an act entitled, 'An act to enable aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee con-

sisting of Messrs. Lawrence, Tamblin and Geddes, to consider and report complete.

Mr. Treadwell, from the select committee on so much of the Governor's message as relates to landlords and tenants, to which were referred the several petitions of David Tomlinson, Wm. P. Van Rensselaer, George Clark and others, for a repeal of the law to equalise taxation, reported said petitions for the consideration of the Senate.

Mr. Johnson, from the same committee, reported a bill entitled, "An act to repeal the act to equalise taxation, passed May 13, 1846," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

(See Senate Bill No. 194.)

Mr. S. H. P. Hall, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to provide for the incorporation and regulation of Telegraph Companies," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Burch, from the select committee, reported complete the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Joshua Webster," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported complete the bill from the Assembly entitled, "An act to authorise the Comptroller to make temporary loans to supply any deficit in the treasury," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Tamblin, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act to enable aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845," which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Cook,

The Senate then proceeded to the consideration of the report of the select committee upon the bill entitled, "An act to provide for the public printing," which report was agreed to with amendments, and with the title thereof altered so as to read as follows: "An act to amend an act entitled, An act to provide for the public printing," and said bill ordered to a third reading, as follows:

#### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond

Mr. Bush  
Mr. Clark  
Mr. Floyd  
Mr. Geddes  
Mr. S. H. P. Hall

Mr. Hawley  
Mr. Johnson  
Mr. Lawrence  
Mr. Little  
Mr. Smith

## FOR THE NEGATIVE.

Mr. Brownson	Mr. Cook	Mr. Treadwell
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole	Mr. Martin	

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Afterwards,

Said bill was reported as correctly engrossed.

Mr. Lawrence, from the select committee, reported complete the bill entitled, "An act to amend an act entitled, 'An act to incorporate the Astor Mutual Insurance Company of the city of New-York,' passed April 18, 1843," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams from the select committee, reported complete the bill entitled, "An act to levy a tax upon the town of Marbletown for the payment of a balance due John R. Cole for building a bridge;" which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Little
Mr. Ayrault	Mr. Fox	Mr. Martin
Mr. Betts	Mr. Geddes	Mr. Smith
Mr. Burch	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Bush	Mr. W. Hall	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Lawrence	Mr. Wilkin

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*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Mr. Johnson, from the select committee, reported the bill entitled, "An act to amend an act entitled, 'An act to abolish distress for rent and for other purposes,' passed May 13, 1846," which report was laid on the table.

Mr. Smith reported complete the bill from the Assembly entitled, "An act to repeal an act entitled, 'An act for the preservation of fish in the Hudson river,' passed March 22, 1845," which report was laid on the table.

Afterwards,

Mr. Smith moved to reconsider the vote just taken upon laying said report on the table, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Coffin	Mr. Johnson	
Mr. Bond	Mr. Floyd	Mr. Smith	
Mr. Bush	Mr. Fuller	Mr. Wilkin	9

## FOR THE NEGATIVE.

Mr. Adams	Mr. Fine	Mr. Little	
Mr. Betta	Mr. Fox	Mr. Martin	
Mr. Brownson	Mr S. H. P. Hall	Mr. Treadwell	
Mr. Clark	Mr. Lawrence	Mr. Whallon	
Mr. Cook			13

Mr. Johnson, from the committee on railroads, reported complete the bill from the Assembly entitled, "An act to amend an act to incorporate the Brooklyn and Jamaica Railroad Company, passed April 15, 1832," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hayt, Robert Land, Horace G. Phelps, Benajah P. Bailey and James A. Hayt," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd for work done on the Genesee Valley canal," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Treadwell, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the prices for wharfage hereafter to be charged for vessels landing at the pier on the east side of the city of Albany," which report was laid on the table.

Mr. Treadwell, from select committees, reported complete two several bills from the Assembly with the following titles, to wit:

"An act to confirm the title of a certain lot of land to William Radley," also

"An act to authorise Samuel W. Harned to construct a set of ways for launching vessels," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Williams, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the Canal Board to grant a rehearing to John B. Ives on his claim for extra allowance for work done on the Erie canal enlargement," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the distribution

of the moneys appropriated to promote agriculture and for other purposes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Tamblin, from the select committee, reported complete the bill from the Assembly entitled, "An act to prevent the destruction of fish in Big Sandy Creek," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported complete the bill from the Assembly entitled, "An act to pay the city of Syracuse for certain improvements on State lands," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Betts, from the select committee, reported complete the bill from the Assembly entitled, "An act to annex a part of the town of Pultney to the town of Urbana in the county of Steuben," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Burch, from the committee on commerce and navigation, reported complete the bill from the Assembly entitled, "An act to incorporate the Neptune Ocean Insurance Company," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Little, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages to John Donbly," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee, reported complete the bill from the Assembly entitled, "An act to provide for the assessment of damages occasioned by laying out, altering or discontinuing any highway between the 31st day of December 1846 and the 14th day of December 1847," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the committee on literature, reported complete the bill from the Assembly entitled, "An act to authorise the city of Albany to raise money by tax to build a district school house," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Clark, from the select committee, reported in writing adverse-ly to the passage of the bill from the Assembly entitled, "An act for the payment of damages sustained by Asa Baxter in consequence of being dispossessed of certain lands of this State," which report was agreed to by the Senate.

(See Senate Doc. No. 75.)

Thereupon,

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. S. H. P. Hall, from the select committee, reported complete the bill entitled, "An act to erect the town of North Butternuts in

the county of Otsego," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. S. H. P. Hall, from the select committee, reported adversely to the petition of Augustus Morgan, of Binghamton, for damages, which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the prayer of the petitioner be denied.

Mr. S. H. P. Hall, from the committee on state prisons, reported in favor of non-concurring with the Assembly in their amendments to two several bills with the following titles, to wit :

"An act making appropriations for the Sing Sing prison," also

"An act in relation to the Clinton State prison," which report was agreed to by the Senate.

Thereupon,

*Resolved*, That the Senate do non-concur in the amendments of the Assembly to said bills severally, and request a committee of conference thereon, and in case the Assembly consent thereto, that Messrs. S. H. P. Hall, Cole and Whallon, be of said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to James Williams," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

The Senate then took a recess until 7½ o'clock P. M.

## QUARTER PAST 7 O'CLOCK P. M. :

The Senate again met.

The Assembly returned the bill entitled, "An act in relation to the Commissary General," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

### FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Bekee  
Mr. Bond

Mr. Cook  
Mr. Floyd  
Mr. Fox  
Mr. Fuller

Mr. Johnson  
Mr. Lawrence  
Mr. Martin  
Mr. Smith

Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall

Mr. Whallon  
Mr. Wilkin

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The Assembly also returned the bill entitled, "An act for the protection of emigrants arriving in the State of New-York," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cole  
Mr. Fine

Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

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*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have concurred in their amendments to said bills severally, and have amended the same accordingly.

Afterwards, the Assembly returned said last mentioned bill.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A communication was received from the Hon. Wm. H. Seward, in the words following, which was read and laid on the table, to wit :

*Albany, April 10, 1848.*

SIR—I have the honor to acknowledge the receipt of a copy of resolutions passed by the Senate and Assembly, in which they were pleased to express their satisfaction with the oration in which, in obedience to their command, I attempted to illustrate the exalted character of John Quincy Adams, and to ask for a copy thereof to be inserted in the journals of the Legislature. I pray you to make known to the Senate my compliance with their request, and to assure them that I am deeply sensible of this renewed expression of favorable consideration.

I am with very great respect,

Your humble servant,

WILLIAM H. SEWARD.

His honor the Lt. Governor.

The following preamble and resolution was received from the Assembly for concurrence, which were read and concurred in :

*Whereas*, The people of France, in evident imitation of our own happy form of self-government, are about to try our successful and glorious experiment upon their own country; and whereas, the people of the United States, the only republican people in the world of any great extent of territory, and with a large population, cannot but warmly sympathise with the effort; therefore

*Resolved*, (if the Senate concur,) That in behalf, and in the name of the people of the State of New-York, we express to the people of France the deep interest we feel in their great effort to obtain constitutional liberty, and the earnest hope we indulge that the boon will be obtained by peace with mankind abroad, and through law and order at home.

*Resolved*, (if the Senate concur,) That in expressing the pride and pleasure which up to this time we have felt in reading the enthusiastic, but in the main, peaceful struggle for liberty in France against the one-man kingly power, it is our right and our duty as republicans, also to remind republicans elsewhere, that anarchy is as fatal to liberty as despotism is, and that there is no hope for "liberty, equality and fraternity," where law and order are not the handmaids of liberty.

*Resolved*, (if the Senate concur,) That the profound tranquility with which our own country has been blessed under her form of self-government, and is now blessed, amid all the excitement of the world, is conclusive demonstration to mankind that rational constitutional self-government is possible and obtainable, and that it is now as secure and as stable a form of government as any upon earth.

*Resolved*, (if the Senate concur,) That the Governor be requested to transmit to the Secretary of State in Washington the above resolutions, with a request that he transmit them to our minister in Paris, so that they may be properly presented to the French government and French people.

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

A bill was received from the Assembly for concurrence entitled, "An act to authorise Adriaance Von Brunt and others to build a bridge over Gowanus creek," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the bank for the savings of Merchants' clerks," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act relative to the office of Attorney General and district attorney and to defray certain contingent expenses of the State officers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act to change the corporate name of the Union church of Pearl village in the town of Queensbury, and for other purposes," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies, to consider and report complete.

The following resolutions were received from the Assembly for concurrence, which were read and concurred in :

*Resolved*, (if the Senate concur,) That the thanks of this Legislature are due, and are hereby tendered to our distinguished fellow citizen, brigadier general John E. Wool, for his valor, skill and judicious conduct, conspicuously displayed in organising and preparing for the service of his country, with unprecedented rapidity, more than 12,000 volunteers, in the summer of 1846, in disciplining the column under his command during a rapid march through an enemys country, disarming that enemy by his humane and vigilant observance of their rights, in the courage and good conduct displayed in the battle of Buena Vista, his uniform gallantry and activity on the field, and the ability and success with which he has since discharged his arduous and responsible duties.

*Resolved*, (if the Senate concur,) That the Governor be, and he is hereby requested, to procure a sword, with suitable emblems and devices, and present it to brigadier general Wool, in the name of the people of this his native State, as a testimony of their high appreciation of his services.

*Resolved*, (if the Senate concur,) That the Governor be, and he is hereby requested, to cause the foregoing resolutions to be communicated to brigadier general Wool, in such terms as he may deem best calculated to give effect to the purposes thereof.

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

Mr. Bush, from select committees, reported complete three several bills with the following titles, to wit :

"An act to pay certain expenses of Morgan Johnson for contesting and of Solomon Moss for defending the right to a seat in the Assembly from the second Assembly district of the county of Niagara," also

"An act for the appointment of wreck-masters in Suffolk, Queens, Kings, Richmond and Westchester counties," also

"An act to declare the public use of a railroad from Buffalo to the State line between New-York and Pennsylvania," which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Fuller, from the select committee, reported the bill from the Assembly entitled, "An act to declare the public use of a railroad from Batavia to Lockport," which was laid on the table.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Frederick Green and Theodorus Catlin," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

By unanimous consent,

The bill entitled, "An act to incorporate the Liberty Normal Institute," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Hawley
Mr. Betts	Mr. Cole	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin 18

#### FOR THE NEGATIVE.

Mr. Floyd	Mr. Lawrence	2
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A resolution to suspend the 10th and 11th joint rules of the Senate and Assembly having been adopted,

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Fuller, from the select committee, reported complete the bill entitled, "An act making appropriations to the dispensaries in the city of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Adams, from the select committee of eight, consisting of one Senator from each judicial district, reported in favor of discharging the committee of the whole from the further consideration of two several bills from the Assembly with the following titles, to wit :

"An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," also.

"An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," and referring the same to select committees to consider and report complete, which report was agreed to by the Senate.

Thereupon,

*Ordered*, That said first mentioned bill be referred to a select committee consisting of Messrs. Lawrence, Floyd and Wilkin, to consider and report complete.

*Ordered*, That said second mentioned bill be referred to a select committee consisting of Messrs. W. Hall, Smith and Coffin, to consider and report complete.

Mr. Bush, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the payment of

the claim of Christopher Adams for work done on the old State Hall," which report was agreed to by the Senate, and said bill ordered to a third reading.

The bill from the Assembly entitled, "An act to incorporate the Dry Dock Savings Bank in the city of New-York," with the engrossed amendments and amended title, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Williams
Mr. Clark		

22

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Brownson, from the select committee, reported complete the bill from the Assembly entitled, "An act authorising a loan to the county of Allegany for the purpose of building a jail in said county," which report was agreed to, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Fox	Mr. Treadwell
Mr. Bokee	Mr. W. Hall	Mr. Whallon
Mr. Fine	Mr. Hawley	Mr. Wilkin

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FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cook	Mr. Lawrence
Mr. Brownson	Mr. Johnson	Mr. Martin
Mr. Cole		

7

Thereupon,

Said amendments were ordered engrossed, and said bill to a third reading.

Mr. Brownson, from the same committee, reported complete, with amendments, the bill from the Assembly entitled, "An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Bokee, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising the supervisors of the county of Kings to create a loan and provide further accommodations for the confinement of prisoners,' passed April 21, 1846," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bokee, from the select committee, reported complete the bill from the Assembly entitled, "An act to fix the time for electing officers for the Seneca Indians residing on the Cattaraugus and Allegany reservations in this State," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Fuller, from the committee on canals, reported in favor of the passage of two several bills from the Assembly with the following titles, to wit :

"An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Rome," also

"An act authorising the appraisal and payment of canal damages to Marcus Adams," which, by unanimous consent, were ordered to a third reading.

Mr. Fuller, from the select committee, reported complete the bill from the Assembly entitled, "An act for the appraisal and payment of canal damages to Cicero Collins, Charles W. Woolston and Erasmus Hughes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Ayrault, from the select committee, reported complete the bill from the Assembly entitled, "An act to regulate the issues of the safety fund banks, and for other purposes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Brownson, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise the board of supervisors of the county of Albany to relieve John J. Ross," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Coffin, from the select committee, reported complete the bill from the Assembly entitled, "An act to declare the public utility of a railroad from Fishkill landing to the easterly line of the State of New-York," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Smith, from the committee on poor laws, reported in favor of the passage of the bill from the Assembly entitled, "An act to require superintendents of the poor to give bonds," which, by unanimous consent, was ordered to a third reading.

Mr. Lawrence, from the committee on finance, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorise the Comptroller to make temporary loans to supply any deficit in the treasury," which, by unanimous consent, was ordered to a third reading.

The bill entitled, "An act to amend an act entitled, 'An act to provide for the public printing,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Little	
Mr. Bokee	Mr. Fox	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Treadwell	
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Bush	Mr. Johnson	Mr. Wilkin	
Mr. Clark	Mr. Lawrence	Mr. Williams	10

## FOR THE NEGATIVE.

Mr. Adams	Mr. Hawley	Mr. Tamblin	
Mr. Floyd			4

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Treadwell moved to lay the present order of business on the table, which motion was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Tamblin	
Mr. Betts	Mr. Fine	Mr. Treadwell	
Mr. Bond	Mr. Floyd	Mr. Whallon	
Mr. Coffin	Mr. Little	Mr. Wilkin	12

## FOR THE NEGATIVE.

Mr. Bokee	Mr. Cole	Mr. Lawrence	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. S. H. P. Hall	Mr. Smith	
Mr. Bush	Mr. W. Hall	Mr. Williams	
Mr. Clark	Mr. Hawley		14

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Aster Mutual Insurance Company of the city of New-York,' passed April 18, 1843," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Fox	Mr. Little	
Mr. Bond	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. Geddes	Mr. Tamblin	
Mr. Bush	Mr. W. Hall	Mr. Whallon	
Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cook	Mr. Johnson	Mr. Williams	21

FOR THE NEGATIVE.

Mr. Betts	Mr. Cole	Mr. Smith	
Mr. Clark	Mr. S. H. P. Hall		5

The bill from the Assembly entitled, "An act to organise and establish a recorder's court in the city of Oswego," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Lawrence	
Mr. Betts	Mr. Floyd	Mr. Little	
Mr. Bokee	Mr. Fox	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Tamblin	
Mr. Brownson	Mr. Geddes	Mr. Whallon	
Mr. Bush	Mr. W. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Hawley	Mr. Williams	21

FOR THE NEGATIVE.

Mr. Cole	Mr. Smith	2
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Mr. Cole moved a reconsideration of the vote just taken on the final passage of said bill, which motion was laid on the table.

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of certain damages sustained by James Nichols, John C. Hayt, Robert Land, Horace G. Phelps, Benjamin P. Bailey and James A. Hayt," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Lawrence	
Mr. Betts	Mr. Pine	Mr. Little	
Mr. Bokee	Mr. Fox	Mr. Tamblin	
Mr. Bond	Mr. Fuller	Mr. Treadwell	
Mr. Brownson	Mr. Geddes	Mr. Whallon	
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Bush	Mr. W. Hall	Mr. Williams	
Mr. Coffin	Mr. Hawley		23

FOR THE NEGATIVE.

Mr. Clark	Mr. Johnson	Mr. Smith	
Mr. Floyd	Mr. Martin		6

The bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Joshua Webster," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Lawrence	
Mr. Betts	Mr. Cook	Mr. Little	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Tamblin	
Mr. Brownson	Mr. Fuller	Mr. Treadwell	
Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Clark	Mr. Hawley	Mr. Williams	24

The bill from the Assembly entitled, "An act to provide for building a court house in the county of Madison," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence	
Mr. Betts	Mr. Fox	Mr. Little	
Mr. Bond	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. Geddes	Mr. Smith	
Mr. Bush	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Clark	Mr. W. Hall	Mr. Whallon	
Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cole			22

The bill from the Assembly entitled, "An act to change the time for holding the annual meeting of the board of supervisors of the county of Genesee," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Little	
Mr. Betts	Mr. Fine	Mr. Martin	
Mr. Bokee	Mr. Fox	Mr. Smith	
Mr. Bond	Mr. Geddes	Mr. Tamblin	
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Bush	Mr. W. Hall	Mr. Whallon	
Mr. Clark	Mr. Johnson	Mr. Wilkin	
Mr. Coffin	Mr. Lawrence		23

The bill from the Assembly entitled, "An act to incorporate the American Dramatic Fund Association," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Ayrault	Mr. Floyd	Mr. Martin
Mr. Betts	Mr. Fox	Mr. Smith
Mr. Bokee	Mr. Fuller	Mr. Tamblin
Mr. Bond	Mr. Geddes	Mr. Treadwell
Mr. Brownson	Mr. W. Hall	Mr. Whallon
Mr. Bush	Mr. Johnson	

20

## FOR THE NEGATIVE.

Mr. Burch	Mr. Fine	Mr. Hawley
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Cole		

7

The bill from the Assembly entitled, "An act making appropriations to the dispensaries in the city of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Williams
Mr. Clark		

22

The bill from the Assembly entitled, "An act further to amend 'An act for the collection of taxes in the city of Albany,' passed May 14, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Little
Mr. Betts	Mr. Fox	Mr. Martin

Mr. Bokee	Mr. Fuller	Mr. Tamblin
Mr. Bond	Mr. W. Hall	Mr. Treadwell
Mr. Burch	Mr. Hawley	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Fine		

22

*Ordered*, That the Clerk return the last nine mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled, "An act relative to the proof of the statute and common law of other states and territories," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fuller	Mr. Little
Mr. Bokee	Mr. Geddes	Mr. Martin
Mr. Bond	Mr. W. Hall	Mr. Tamblin
Mr. Brownson	Mr. Hawley	Mr. Treadwell
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Cole	Mr. Lawrence	Mr. Williams
Mr. Fine		

19

## FOR THE NEGATIVE.

Mr. Betts	Mr. Coffin	Mr. Fox
Mr. Burch	Mr. Cook	Mr. Smith
Mr. Clark	Mr. Floyd	Mr. Whallon

9

The bill from the Assembly entitled, "An act in relation to the sale of lands in the Canadian and Nova Scotia refugee tract in the town of Plattsburg," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin	Mr. Johnson	Mr. Williams

24

The bill from the Assembly entitled, "An act authorising a loan to the county of Allegany for the purpose of building a jail in said county," with the engrossed amendments, was read the third time and

passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Bokee	Mr. Fox	Mr. Tamblin
Mr. Bond	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. W. Hall	Mr. Wilkin
Mr. Bush	Mr. Johnson	Mr. Williams
Mr. Clark		

25

The bill from the Assembly entitled, "An act to provide for the incorporation and regulation of Telegraph Companies," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Little
Mr. Brownson	Mr. S. H. P. Hall	Mr. Martin
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark		

19

## FOR THE NEGATIVE.

Mr. Burch	Mr. Geddes	Mr. Tamblin
Mr. Cook	Mr. Smith	Mr. Williams
Mr. Floyd		

7

The bill from the Assembly entitled, "An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Clark	Mr. Johnson
Mr. Betts	Mr. Coffin	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. Geddes	Mr. Wilkin
Mr. Bush	Mr. Hawley	Mr. Williams

21

The bill from the Assembly entitled, "An act to vest certain powers in the recorder of the city of Hudson," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence
Mr. Betts	Mr. Cole	Mr. Little
Mr. Bokee	Mr. Cook	Mr. Martin
Mr. Bond	Mr. Fine	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Wilkin
Mr. Clark	Mr. Johnson	Mr. Williams

24

The bill from the Assembly entitled, "An act in relation to the State offices, and to provide for the expenses thereof," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. W. Hall
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Tamblin
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams
Mr. Coffin		

22

*Ordered,* That the Clerk return the last seven mentioned bills to the Assembly, and inform them that the Senate have passed the same severally with the amendments therewith delivered.

The bill from the Assembly entitled, "An act to regulate the time in which labor is to be performed on the highways in certain cases," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Johnson	Mr. Smith
Mr. W. Hall	Mr. Lawrence	Mr. Wilkin

6

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley	
Mr. Betts	Mr. Cook	Mr. Little	
Mr. Bond	Mr. Fine	Mr. Martin	
Mr. Burch	Mr. Floyd	Mr. Tamblin	
Mr. Bush	Mr. Fox	Mr. Treadwell	
Mr. Clark	Mr. Fuller	Mr. Whallon	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Williams	21

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to enable aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bond	Mr. Geddes	Mr. Smith	
Mr. Fuller	Mr. Johnson	Mr. Tamblin	6

## FOR THE NEGATIVE.

Mr. Betts	Mr. Cook	Mr. Martin	
Mr. Brownson	Mr. Floyd	Mr. Treadwell	
Mr. Bush	Mr. Fox	Mr. Whallon	
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams	
Mr. Coffin	Mr. Hawley		14

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate do non-concur in the passage thereof severally.

On motion of Mr. Fine, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act to continue the compensation of the chancellor and the justices of the supreme court," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Wilkin, Floyd and Williams, be said committee.

Then the Senate adjourned until nine o'clock to-morrow morning.

TUESDAY, 9 O'CLOCK, A. M., APRIL 11, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The reading of the journal of yesterday was dispensed with.

The Senate then spent some time in committee of the whole upon the bill entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848, and for other purposes," and Mr. Cook, from said committee, reported said bill with amendments.

*Ordered*, That said bill be referred to the committee on finance, to consider and report complete.

By unanimous consent,

Mr. Fine reported a bill entitled, "An act declaratory of the meaning of the words 'Delaware and Hudson' in act passed April 8, 1845," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

Afterwards,

Said bill was reported as correctly engrossed.

On motion of Mr. Fine, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act in relation to the quarantine establishment on Staten Island," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fine, Geddes and Fuller, be said committee.

Mr. Wilkin presented the petition of William W. Niles for relief, which was referred to a select committee, with power to make the examination requested by the petitioner, and to send for persons and papers, and to report to the next session, as follows :

FOR THE AFFIRMATIVE.

Mr. Bond	Mr. Cole	Mr. Little	
Mr. Burch	Mr. Fox	Mr. Tamblin	
Mr. Clark	Mr. Hawley	Mr. Wilkin	
Mr. Coffin	Mr. Lawrence	Mr. Williams	12

FOR THE NEGATIVE.

Mr. Betts	Mr. Fuller	Mr. Martin	
Mr. Brownson	Mr. Geddes	Mr. Smith	
Mr. Fine	Mr. S. H. P. Hall	Mr. Whallon	
Mr. Floyd	Mr. Johnson		11

*Ordered*, That Messrs. Hawley, Tamblin and Fox, be said committee.

Mr. Johnson presented the petition of Ab'm G. Thompson of the city of New-York for an alteration of the laws relating to usury, which was laid on the table.

By unanimous consent,

The Senate then proceeded to the consideration of a motion to reconsider the vote taken upon the final passage of the bill from the Assembly entitled, "An act to organise and establish a recorder's court in the city of Rochester," which motion was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Bush	Mr. Johnson	Mr. Williams
Mr. Cole		

22

Said bill having been amended, by unanimous consent, the same was again ordered to a third reading.

On motion of Mr. Smith,

The Senate then proceeded to the consideration of the report of the select committee upon the bill from the Assembly entitled, "An act to repeal an act entitled, 'An act for the preservation of fish in the Hudson river,' passed March 22, 1845," which report was agreed to by the Senate, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fox	Mr. Johnson
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Coffin	Mr. Geddes	Mr. Whallon
Mr. Cole	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Floyd	Mr. W. Hall	

14

#### FOR THE NEGATIVE.

Mr. Adams	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Hawley	Mr. Tamblin
Mr. Clark	Mr. Lawrence	Mr. Treadwell
Mr. Cook	Mr. Little	

11

Thereupon,

Said bill was ordered to a third reading.

Mr. Wilkin, from the select committee, reported complete, with amendments, the bill entitled, "An act to continue the compensation of the chancellor and justices of the supreme court," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bokee, from the committee on the incorporation of cities and villages, reported in writing adversely to the several petitions to change the name of Little Falls, which report was agreed to by the Senate.

(See Senate Doc. No. 74.)

On motion of Mr. Fuller, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act to provide for the settlement of the claims of Jonathan S. Caulkins and Eddy Cole for work done on the Erie canal enlargement," and that the same be ordered to a third reading.

On motion of Mr. Treadwell, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to John Mead on account of the Erie canal enlargement," and that the same be referred to a select committee consisting of Messrs. Burch, Geddes and Martin, to consider and report complete.

Mr. Burch, from the committee on commerce and navigation, reported in favor of the passage of the bill entitled, "An act to repeal an act concerning passengers arriving at the ports of entry and landings in this State, passed December 10, 1847," which, by unanimous consent, was ordered to a third reading.

Mr. Geddes, from the committee on roads and bridges, reported complete the bill from the Assembly entitled, "An act to authorise Adriance Van Brunt and others to build a bridge over Gowanus creek," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Martin, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act to provide for the settlement of the claim of Isaac Ledyard and John B. Matthews for work done on the Erie canal enlargement," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Ayrault, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to certain overpayments to the bank fund," which was recommitted to the committee of the whole, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallen
Mr. Coffin	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams
Mr. Floyd	Mr. Martin	

17

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Clark	Mr. Lawrence
Mr. Bokee	Mr. Cole	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson		

10

Mr. Ayrault, from the committee on banks and insurance companies, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Farmers' Mutual Insurance Company of Erie county,' passed May 14, 1845," which was referred to a select committee consisting of Messrs. Bush, Brownson and Burch, to consider and report complete.

On motion of Mr. Little,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act for the incorporation of benevolent, charitable and religious societies," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Little, Johnson and Bokee, be said committee.

On motion of Mr. Wilkin,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled, "An act for the permanent establishment of the Normal School," and that the same be referred to a select committee, to consider and report complete.

*Ordered*, That Messrs. Wilkin, Adams and Coffin, be said committee.

Mr. Cook presented the remonstrance of inhabitants of the city of Schenectady against loaning the credit of said city for the purpose of building a plank road, which was laid on the table.

Mr. Burch, from the select committee, reported complete the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to John Mead on account of the Erie canal enlargement," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. W. Hall, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act making appropriations for the society for the reformation of juvenile delin-

quents in the city of New-York," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Wilkin, from the select committee, reported complete; with amendments, the bill from the Assembly entitled, "An act in relation to the office of Attorney General and District Attorney, the library of the court of chancery and to defray certain contingent expenses of the State officers," and with the title amended by striking out thereof the words "the library of the court of chancery," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Ayrault, from the committee on banks and insurance companies, reported complete, with amendments, the bill from the Assembly entitled, "An act to incorporate the bank for the savings of Merchants' clerks," and with the title thereof altered so as to read as follows: "An act to incorporate the institution for the savings of merchants' clerks," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Bond from the committee on literature, reported a bill entitled, "An act providing for free schools in district No. 5 in the town of Bath," which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee consisting of Messrs. Bond, Hawley and Martin, to consider and report complete.

On motion of Mr. Hawley, and by unanimous consent,

*Ordered*, That a message be sent to the Assembly, requesting them to send back to the Senate the bill entitled, "An act to authorise Francis E. Erwin to erect and maintain a dam across the Conhocton river and across Mead's creek in the county of Steuben."

Afterwards,

The Assembly returned said bill, and the vote upon agreeing to the report of the committee on canals thereon was reconsidered, and said bill referred to a select committee consisting of Messrs. Hawley, Fuller and Cole, to consider and report complete.

The report of the Regents of the University on the State Cabinet of Natural History was received, and laid on the table.

A motion to print 1,000 copies of said report and accompanying documents, was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof.

(See Senate Doc. No. 72.)

The bill entitled, "An act declaratory of the meaning of the words 'Delaware and Hudson' in the act passed April 8, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Tamblin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole		

-22

A resolution to suspend the 10th and 11th joint rules of the Senate and Assembly having been adopted and concurred in,

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill from the Assembly entitled, "An act to establish a recorder's court in the city of Rochester," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Geddes	Mr. Tamblin
Mr. Brownson	Mr. S. H. P. Hall	Mr. Whallon
Mr. Burch	Mr. W. Hall	Mr. Wilkin
Mr. Bush	Mr. Hawley	Mr. Williams
Mr. Coffin		

22

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill entitled, "An act to repeal 'An act concerning passengers arriving at the ports of entry and landing in this State,' passed December 10, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. Geddes	Mr. Tamblin
Mr. Cole	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cook	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Little	Mr. Wilkin
Mr. Floyd		

19

A resolution to suspend the 10th and 11th joint rules of the Senate and Assembly having been adopted and concurred in,

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the following concurrent resolution :

*Resolved*, (if the Assembly concur,) That the following amendment be proposed to the Constitution of this State ; that the same be referred to the Legislature to be chosen at the next annual election of Senators, and be published for three months previous to the time of making such choice, in conformity with the 1st section of the 13th article of the Constitution.

Section 6 of article 4 of the Constitution shall be amended so as to read as follows :

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease : or, if there shall be a vacancy in the office of Lieutenant-Governor, or if the Lieutenant-Governor be under impeachment, or be absent from the State, or incapable of performing the duties of his office, then the powers and duties of the office of Governor shall devolve upon the President of the Senate : or if there be no President of the Senate at the time, then upon the Speaker of the Assembly for the residue of the term of the said Governor, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State, in time of war, at the head of a military force, he shall continue commander-in-chief of all the military force in the State.

Thereupon,

Said resolution was ordered to a third reading.

Mr. Floyd, from the select committee, reported complete the bill from the Assembly entitled, "An act in relation to the quarantine establishment, on Staten Island," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Lawrence, from the select committee, reported complete the bill from the Assembly entitled, "An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Mr. Hawley moved a reconsideration of the vote taken yesterday upon agreeing with the report of the committee on canals upon the bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Frederick Green and Theodorus Catlin," which motion was decided in the affirmative as follows, and said bill laid on the table :

FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Floyd	Mr. Johnson
Mr. Brownson	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Cook	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Fine	Mr. Hawley	

17

FOR THE NEGATIVE.

Mr. Clark

1

Mr. Smith, from the committee on canals, reported adversely to the passage of the bill from the Assembly entitled, "An act authorising the Canal Board to cause the route of a new canal to be surveyed uniting Big Sodus bay with the Erie canal," which report was agreed to by the Senate.

Thereupon,

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate do non-concur in the passage thereof.

Mr. Floyd, from the select committee, reported complete, with amendments, the bill from the Assembly entitled, "An act to enable Mary Grogan to hold and convey real estate," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

Mr. Little, from the committee on charitable and religious societies, reported complete the bill from the Assembly entitled, "An act to change the corporate name of the Union church of Pearl village in the town of Queensbury, and for other purposes," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Williams offered a resolution in the words following:

*Resolved*, That the Albany basin bill be referred to a select committee—that said committee be required to examine fully into the merits thereof, and report to the next Legislature.

The President put the question upon agreeing to said resolution, which was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fox	Mr. Martin
Mr. Ayrault	Mr. Fuller	Mr. Smith
Mr. Betts	Mr. W. Hall	Mr. Tamblin
Mr. Bokee	Mr. Hawley	Mr. Treadwell
Mr. Bond	Mr. Johnson	Mr. Whallon
Mr. Coffin	Mr. Lawrence	Mr. Wilkin
Mr. Cole	Mr. Little	Mr. Williams
Mr. Cook		

23

FOR THE NEGATIVE.

Mr. Floyd	Mr. Geddes	Mr. S. H. P. Hall	3
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*Ordered*, That Messrs. Williams, Fine and Little, be said committee.

A bill was received from the Assembly for concurrence entitled, "An act to authorise the appraisal and payment of damages to Isaac Price for the temporary occupation of certain lands in the village of Lockport," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the appointment of commissioners to ascertain the compensation to be made for private property taken for public use," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

The Assembly also returned the bill entitled, "An act to incorporate the Black River Steamboat Company," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

On motion of Mr. Lawrence,

*Resolved*, That there be paid, as part of the contingent expenses of the Senate, to John Manning and Richard E. Nagle, each the sum of two dollars per day for the time they have attended as messengers of the Senate, and three days before the session and three days after the session for collecting books, &c., pursuant to the 7th section of title six, chapter seven, of the first part of the Revised Statutes.

A resolution was received from the Assembly for concurrence, in the words following, which was concurred in, to wit:

*Resolved*, (if the Senate concur,) That a committee of three be appointed, to consist of one member of the Senate and two members of the Assembly, to examine the Treasurer's accounts, the banking department, and the accounts of the canal department, during the months of October, November and December next.

*Ordered*, That the Clerk return said resolutions to the Assembly, and inform them that the Senate have concurred therein.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the payment of certain expenses of government," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The Senate then spent some time in committee of the whole upon said bill, and Mr. Cook, from said committee, reported the same with amendments, which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

By unanimous consent,

Said bill was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence	
Mr. Ayrault	Mr. Fine	Mr. Little	
Mr. Betts	Mr. Fox	Mr. Martin	
Mr. Bokee	Mr. Fuller	Mr. Tamblin	
Mr. Bond	Mr. Hawley	Mr. Treadwell	
Mr. Brownson	Mr. Johnson	Mr. Wilkin	18

## FOR THE NEGATIVE.

Mr. Burch	Mr. Floyd	Mr. Whallon	
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams	
Mr. Coffin	Mr. Smith		8

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Assembly returned the bill entitled, "An act in relation to the Commissary General."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act authorising a loan to the county of Allegany for the purpose of building a jail in said county," with a message informing that they do non-concur with the Senate in their amendments thereto.

Mr. Martin moved that the Senate do recede from their said amendments, which motion was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Johnson	
Mr. Brownson	Mr. Cole	Mr. Lawrence	
Mr. Burch	Mr. Geddes	Mr. Little	
Mr. Bush	Mr. W. Hall	Mr. Martin	12

## FOR THE NEGATIVE.

Mr. Adams	Mr. Floyd	Mr. Smith	
Mr. Betts	Mr. S. H. P. Hall	Mr. Tamblin	
Mr. Clark	Mr. Hawley	Mr. Whallon	
Mr. Fine			10

Mr. Cole moved a reconsideration of the vote just taken, which motion was laid on the table.

A bill was received from the Assembly for concurrence entitled, "An act to explain the act entitled, 'An act to supply the deficiency in the money for the use of the Marine Hospital at Staten Island,' passed April 7, 1848," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley	
Mr. Betts	Mr. Fine	Mr. Johnson	
Mr. Bokee	Mr. Floyd	Mr. Lawrence	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Treadwell	
Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Coffin	Mr. W. Hall	Mr. Williams	24

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

By unanimous consent,

The bill entitled, "An act to continue the compensation of the chancellor and the justices of the supreme court," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little	
Mr. Betts	Mr. Fine	Mr. Smith	
Mr. Bokee	Mr. Floyd	Mr. Tamblin	
Mr. Bond	Mr. Fox	Mr. Treadwell	
Mr. Brownson	Mr. Geddes	Mr. Whallon	
Mr. Clark	Mr. Hawley	Mr. Wilkin	
Mr. Cole	Mr. Lawrence	Mr. Williams	21

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Bugh	Mr. Martin	
Mr. Burch			4

A resolution to suspend the 10th and 11th joint rules of the Senate and Assembly having been adopted and concurred in,

*Ordered*, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hawley, from the select committee, reported complete the bill from the Assembly entitled, "An act to authorise Francis E. Erwin to erect and maintain a dam across the Conhocton river and across Mead's creek in the county of Steuben," which report was agreed to by the Senate, and said bill ordered to a third reading.

The Assembly returned the bill entitled, "An act to incorporate the Dry Dock Savings Bank in the city of New-York," with a message informing that they had concurred with the Senate in their amendments thereto, and to the title thereof so as to read as follows: "An act to incorporate the Dry Dock Savings Institution in the city of New-York."

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned two several bills with the following titles, to wit:

"An act to provide for the appointment of a clerk or clerks in the office of the surrogate of the county of Kings," also

"An act to amend the charter of the Attica and Hornellsville Railroad Company, passed May 14, 1845," with a message informing that they do non-concur in the passage of said bills severally.

The Assembly returned four several bills with the following titles, to wit:

"An act for the relief of the trustees of school district No. 10 in the town of Chatham, Columbia county," also

"An act in relation to the court of sessions of the county of Jefferson," also

"An act in relation to school district No. 12 in the towns of Milton and Ballston in the county of Saratoga," also

"An act for the settlement and payment of the expenses of James H. Sherrill incurred in defending himself from certain charges preferred before a select committee of the Senate," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned six several bills with the following titles, to wit:

"An act to facilitate the determination of existing suits in the courts of this State," also

"An act in relation to the public schools in the city of Syracuse," also

"An act to appropriate certain portions of the income of the United States Deposit and Literature funds to certain colleges, academies, and for other purposes," also

"An act to declare the public use of a railroad from Albany to Cohoes," also

"An act to provide for the incorporation of bridge companies," also

"An act to reduce the tolls of the Oswego Bridge Company."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the bill entitled, "An act making appropriations for the State Library," with a message informing that they had receded from their amendments thereto, and had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned twenty several bills with the following titles, to wit :

"An act extending the time to rebuild the bridge of the Chenango Canal Bridge Company," also

"An act to incorporate the New-York and Staten Island Steam Ferry Company," also

"An act to authorise the formation of the Niagara Suspension Bridge House Company," also

"An act to amend the act entitled, 'An act in relation to the poor,' passed March 3, 1820," also

"An act confirming the appointment of commissioners of deeds in the city of Brooklyn," also

"An act to amend the act entitled, 'An act to provide for the enrolment of the militia and encourage the formation of uniform companies, excepting the first military division of this State,' passed May 13, 1847," also

"An act to incorporate the East River Savings Institution," also

"An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," also

"An act to incorporate the Binghamton Savings Institution in the county of Broome," also

"An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," also

"An act to provide for the construction of a railroad from Genesee to the Genesee Valley canal," also

"An act for the relief and benefit of the Cambridge Washington Academy," also

"An act to pay John R. Green the avails of certain escheated lands," also

"An act releasing unto George H. Patterson and Robert D. Patterson a certain lot of ground in the seventh ward of the city of New-York," also

"An act for the relief of William Swanton," also

"An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," also

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New York,' passed April 18, 1843," also

"An act for the relief of the grantees of the estate of Johanna Holthuysen, late of the city of New-York," also

"An act to repeal the act passed December 15, 1847, entitled 'An act to pay Henry Storms a compensation for extra services rendered the State,' " also

"An act to declare the public use of a railroad from Auburn to Itaca through the towns of Fleming and Scipio and down the valley of Salmon creek," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned two several bills with the following titles, to wit :

"An act in relation to the Clinton State Prison," also

"An act making appropriations for the Sing Sing prison," with a message informing that they do consent to the appointment of a committee of conference upon the amendments to said bills, and have appointed Messrs. Heaton, Campbell, Feeter, Butrick and Brinkerhoff, of said committee on the part of the Assembly.

The Senate took a recess until 3½ o'clock P. M.

#### HALF PAST 3 O'CLOCK P. M.

The Senate again met.

A bill was received from the Assembly for concurrence entitled, "An act to incorporate the North Haverstraw and Grassy Point Bridge Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges, to consider and report complete.

Afterwards,

Mr. Smith, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to amend the charter of the Fallsburgh and Liberty Turnpike Road Company," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled, "An act providing for the improvement of Conesus lake as a reservoir to supply the Genesee Valley and Erie canals with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals, to consider and report complete.

Afterwards,

Mr. Fuller, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence entitled, "An act to extend Third-street east in the village of Jamestown to Second-street," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages, to consider and report complete.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the canal debt and the mainenance of the canals for the fiscal year commencing October 1, 1848," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals, to consider and report complete.

Afterwards,

Mr. Fuller, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bush, from the select committee, reported complete the bill from the Assembly entitled, "An act to amend an act entitled, 'An act to incorporate the Farmers' Mutual Insurance Company of Erie county,' passed May 14, 1845," which report was agreed to by the Senate, and said bill ordered to a third reading.

The bill entitled, "An act for the permanent establishment of the Normal School," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Martin
Mr. Ayrault	Mr. Cook	Mr. Smith
Mr. Betts	Mr. Fox	Mr. Tamblin
Mr. Bokee	Mr. Hawley	Mr. Treadwell
Mr. Brownson	Mr. Johnson	Mr. Whallon
Mr. Burch	Mr. Lawrence	Mr. Wilkin
Mr. Bush	Mr. Little	Mr. Williams
Mr. Coffin		

22

#### FOR THE NEGATIVE.

Mr. Bond	Mr. Fuller
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2

A resolution to suspend the 10th and 11th joint rules of the Senate and Assembly having been adopted and concurred in,

*Ordered,* That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Little, from the select committee, reported complete, with amendments, the entitled, "An act for the incorporation of benevolent, charitable and missionary societies," and with the title thereof altered so as to read as follows : "An act for the incorporation of

benevolent, charitable, scientific and missionary societies," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

The bill from the Assembly entitled, "An act to authorise the payment of the claim of Christopher Adams for work done on the old State Hall," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE NEGATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Lawrence
Mr. Bokee	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Wilkin
Mr. Bush	Mr. Geddes	

20

## FOR THE NEGATIVE.

Mr. Betts	Mr. Smith	Mr. Whallon
Mr. Clark	Mr. Tamblin	

5

*Ordered,* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act declaratory of the meaning of the words 'Delaware and Hudson' in the act passed April 8, 1845," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered,* That the same be delivered to the Governor.

The bill from the Assembly entitled, "An act for the incorporation of benevolent, charitable and missionary societies," with the engrossed amendments and amended title, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Lawrence	Mr. Williams
Mr. Cole		

19

## FOR THE NEGATIVE.

Mr. Clark  
Mr. Coffin

Mr. Fine

Mr. Martin

4

The bill from the Assembly entitled, "An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cook  
Mr. Fine

Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. Hawley  
Mr. Johnson  
Mr. Lawrence

Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

22

## FOR THE NEGATIVE.

Mr. Bokee

Mr. Clark

Mr. Cole

3

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Assembly returned the bill entitled, "An act in relation to the Clinton State Prison," with a message informing that they request a new committee of conference upon the amendments thereto, and in case the Senate consent thereto, that Messrs. Heaton, McCarty, Spaulding, Holmes and Chamberlain, be said committee on the part of that House.

Thereupon,

*Resolved*, That the Senate do consent to the appointment of said committee of conference, and that Messrs. S. H. P. Hall, Cole and Whallon, be of said committee on the part of the Senate.

*Ordered*, That the Clerk deliver a copy of said resolution to the Assembly.

Mr. Lawrence, from the committee on finance, reported complete, with amendments, the bill from the Assembly entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

By unanimous consent,

Said bill, with the engrossed amendments, was read the third

time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin	Mr. Johnson	

20

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	2
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Mr. Wilkin, from the committee on the judiciary, reported in favor of the passage of the bill from the Assembly entitled, "An act to provide for the appointment of commissioners to ascertain the compensation to be made for private property taken for public use," which was referred to a select committee consisting of Messrs. Fox, Wilkin and Fine, to consider and report complete.

Afterwards,

Mr. Fox, from said committee, reported said bill complete which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Bond, from the select committee, reported complete the bill entitled, "An act to provide for free schools in district No. 5 in the town of Bath in the county of Steuben," which report was agreed to by the Senate, and said bill ordered to a third reading.

Mr. Cook, from the committee on claims, reported in favor of the passage of the bill from the Assembly entitled, "An act to authorize the appraisal and payment of damages to Isaac Price for the temporary occupation of certain lands in the village of Lockport," which report was agreed to by the Senate, and said bill ordered to a third reading.

The bill from the Assembly entitled, "An act to enable Mary Grogan to hold and convey certain real estate," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Hawley
Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr. W. Hall	Mr. Williams
Mr. Clark		

19

The bill from the Assembly entitled, "An act in relation to the office of Attorney General and District Attorney, and to defray certain contingent expenses of the State officers," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall
Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Brownson	Mr. Fine	Mr. Little
Mr. Burch	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	

17

## FOR THE NEGATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Bokee	Mr. Johnson	Mr. Tamblin
Mr. Bond	Mr. Lawrence	Mr. Whallon
Mr. Cook		

10

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

On motion of Mr. Fox,

*Resolved*, That the Clerk of the Senate pay to Martin Miller, late door keeper of the Senate, for nine days services in regulating the Senate library and chamber, and bringing stationery from the Comptroller's office, &c., at the rate of three dollars per day, out of the contingent funds of the Senate.

On motion of Mr. Lawrence,

*Resolved*, That the Clerk pay, from the contingent funds of the Senate, to David Emory, the janitor of the Senate, such sum as shall make his compensation three dollars per day, together with his mileage, and for attendance for the space of ten days after this session and ten days prior to the next, in arranging and preparing the Senate chamber.

The bill from the Assembly entitled, "An act to declare the public utility of a railroad from Fishkill landing to the easterly line of the State of New-York," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Lawrence	
Mr. Betts	Mr. Floyd	Mr. Martin	
Mr. Brownson	Mr. Fox	Mr. Smith	
Mr. Bush	Mr. Fuller	Mr. Tamblin	
Mr. Clark	Mr. Geddes	Mr. Treadwell	
Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cook	Mr. Johnson	Mr. Williams	21

The bill from the Assembly entitled, "An act to incorporate the Neptune Ocean Steamship Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Lawrence	
Mr. Betts	Mr. Cook	Mr. Martin	
Mr. Bokee	Mr. Fine	Mr. Smith	
Mr. Brownson	Mr. Fox	Mr. Tamblin	
Mr. Burch	Mr. Fuller	Mr. Treadwell	
Mr. Bush	Mr. Geddes	Mr. Whallon	
Mr. Clark	Mr. Hawley	Mr. Wilkin	
Mr. Coffin			22

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Williams	2
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The bill from the Assembly entitled, "An act to authorise the board of supervisors of the county of Albany to relieve John J. Ross," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon

Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cook	Mr. Johnson	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Brownson	Mr. Floyd	Mr. Martin	
Mr. Cole			4

The bill from the Assembly entitled, "An act to annex a part of the town of Pultney to the town of Urbana in the county of Steuben," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Martin	
Mr. Brownson	Mr. Floyd	Mr. Smith	
Mr. Bush	Mr. Fox	Mr. Tamblin	
Mr. Clark	Mr. Fuller	Mr. Treadwell	
Mr. Coffin	Mr. Geddes	Mr. Whallon	
Mr. Cole	Mr. Hawley	Mr. Williams	21

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of companies to construct turnpike roads,' passed May 7, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Little	
Mr. Betts	Mr. Floyd	Mr. Martin	
Mr. Bokee	Mr. Fox	Mr. Smith	
Mr. Bond	Mr. Fuller	Mr. Tamblin	
Mr. Brownson	Mr. Geddes	Mr. Treadwell	
Mr. Bush	Mr. Hawley	Mr. Wilkin	
Mr. Clark	Mr. Lawrence	Mr. Williams	
Mr. Cook			22

The bill from the Assembly entitled, "An act in relation to the canal debt and the maintenance of the canals for the fiscal year commencing October 1, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Bush	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. Geddes	

20

The bill from the Assembly entitled, "An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. S. H. P. Hall
Mr. Bokee	Mr. Cook	Mr. Hawley
Mr. Brownson	Mr. Fine	Mr. Little
Mr. Burch	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Fox	Mr. Tamblin
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. Geddes	

20

The bill from the Assembly entitled, "An act to regulate the issues of the safety fund banks, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Martin
Mr. Bokee	Mr. Cook	Mr. Tamblin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin	Mr. Little	

20

## FOR THE NEGATIVE.

Mr. Burch	Mr. Floyd	Mr. Smith	3
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The bill from the Assembly entitled, "An act to provide for distribution of the moneys appropriated to promote agriculture, and for other purposes," was read the third time and passed, a majority of

Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cook	Mr. Johnson	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Brownson	Mr. Floyd	Mr. Martin	
Mr. Cole			4

The bill from the Assembly entitled, "An act to annex a part of the town of Pultney to the town of Urbana in the county of Steuben," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Martin	
Mr. Brownson	Mr. Floyd	Mr. Smith	
Mr. Bush	Mr. Fox	Mr. Tamblin	
Mr. Clark	Mr. Fuller	Mr. Treadwell	
Mr. Coffin	Mr. Geddes	Mr. Whallon	
Mr. Cole	Mr. Hawley	Mr. Williams	21

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act to provide for the incorporation of companies to construct turnpike roads,' passed May 7, 1847," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Little	
Mr. Betts	Mr. Floyd	Mr. Martin	
Mr. Bokee	Mr. Fox	Mr. Smith	
Mr. Bond	Mr. Fuller	Mr. Tamblin	
Mr. Brownson	Mr. Geddes	Mr. Treadwell	
Mr. Bush	Mr. Hawley	Mr. Wilkin	
Mr. Clark	Mr. Lawrence	Mr. Williams	
Mr. Cook			22

The bill from the Assembly entitled, "An act in relation to the canal debt and the maintenance of the canals for the fiscal year commencing October 1, 1848," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bond	Mr. Fine	Mr. Tamblin
Mr. Brownson	Mr. Floyd	Mr. Treadwell
Mr. Bush	Mr. Fox	Mr. Whallon
Mr. Clark	Mr. Fuller	Mr. Wilkin
Mr. Coffin	Mr. Geddes	

20

The bill from the Assembly entitled, "An act to amend an act in relation to the old mill road in the town of Flatbush, Kings county, passed May 12, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. S. H. P. Hall
Mr. Bokee	Mr. Cook	Mr. Hawley
Mr. Brownson	Mr. Fine	Mr. Little
Mr. Burch	Mr. Floyd	Mr. Martin
Mr. Bush	Mr. Fox	Mr. Tamblin
Mr. Clark	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. Geddes	

20

The bill from the Assembly entitled, "An act to regulate the issues of the safety fund banks, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Martin
Mr. Bokee	Mr. Cook	Mr. Tamblin
Mr. Bond	Mr. Fox	Mr. Treadwell
Mr. Brownson	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin	Mr. Little	

20

## FOR THE NEGATIVE.

Mr. Burch	Mr. Floyd	Mr. Smith	3
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The bill from the Assembly entitled, "An act to provide for distribution of the moneys appropriated to promote agriculture, and for other purposes," was read the third time and passed, a majority of

all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Bush	Mr. Geddes
Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Wilkin

21

**FOR THE NEGATIVE.**

Mr. Coffin	Mr. Smith	Mr. Whallon	3
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The bill from the Assembly entitled, "An act to fix the salary of the recorder of the city of Buffalo," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Adams	Mr. Cook	Mr. Martin
Mr. Ayrault	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Fox	Mr. Tamblin
Mr. Bokee	Mr. Fuller	Mr. Treadwell
Mr. Brownson	Mr. Johnson	Mr. Wilkin
Mr. Bush	Mr. Little	Mr. Williams
Mr. Clark		

19

The bill from the Assembly entitled, "An act to dispose of certain vacant and unoccupied lands belonging to the Onondaga salt spring reservation, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bokee	Mr. Fox	Mr. Smith
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Burch	Mr. S. H. P. Hall	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Lawrence	Mr. Williams
Mr. Cole		

25

The bill from the Assembly entitled, "An act to provide for the settlement of the claim of Oscar Granger and Walter S. Todd for work done on the Genesee Valley canal," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Clark	Mr. Fuller	
Mr. Betts	Mr. Coffin	Mr. Johnson	
Mr. Bokee	Mr. Cole	Mr. Lawrence	
Mr. Bond	Mr. Cook	Mr. Tamblin	
Mr. Brownson	Mr. Fine	Mr. Treadwell	
Mr. Burch	Mr. Floyd	Mr. Whallon	
Mr. Bush	Mr. Fox	Mr. Wilkin	21

## FOR THE NEGATIVE.

Mr. Martin	Mr. Smith	2
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The bill from the Assembly entitled, "An act to authorise the Canal Board to grant a rehearing to John B. Ives on his claim for extra allowance for work done on the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Lawrence	
Mr. Betts	Mr. Cook	Mr. Tamblin	
Mr. Bokee	Mr. Fine	Mr. Treadwell	
Mr. Bond	Mr. Fox	Mr. Whallon	
Mr. Burch	Mr. Fuller	Mr. Wilkin	
Mr. Bush	Mr. Hawley	Mr. Williams	
Mr. Clark			19

## FOR THE NEGATIVE.

Mr. Smith	1
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The bill from the Assembly entitled, "An act in relation to the road from Ogdensburg to Canton in the county of St. Lawrence," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Hawley	
Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Smith	
Mr. Brownson	Mr. Floyd	Mr. Tamblin	
Mr. Bush	Mr. Fox	Mr. Treadwell	
Mr. Clark	Mr. Fuller	Mr. Whallon	
Mr. Coffin	Mr. Geddes	Mr. Williams	21

## FOR THE NEGATIVE.

Mr. Martin	1
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The bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to John Mead on account of the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Floyd	Mr. Tamblin	
Mr. Brownson	Mr. Fox	Mr. Treadwell	
Mr. Burch	Mr. Fuller	Mr. Whallon	
Mr. Bush	Mr. S. H. P. Hall	Mr. Wilkin	
Mr. Coffin	Mr. Hawley	Mr. Williams	
Mr. Cole			22

## FOR THE NEGATIVE.

Mr. Smith	1
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The bill from the Assembly entitled, "An act to confirm the official acts of William H. Olmstead, Cornelius Rosa and Jeremiah B. Millard, justices of the peace of the town of West Union," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrauls	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin

Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Wilkin
Mr. Clark	Mr. Hawley	Mr. Williams
Mr. Coffin	Mr. Lawrence	23

The bill from the Assembly entitled, "An act to release the interest of the State in certain lands to the heirs of Gavin Hamilton," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Tamblin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Clark	Mr. Lawrence	Mr. Williams
Mr. Coffin		23

The bill from the Assembly entitled, "An act to amend the charter of the city of Syracuse," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fine	Mr. Little
Mr. Bokes	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Busch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin	Mr. Lawrence	Mr. Williams
Mr. Cook		23

The bill from the Assembly entitled, "An act to erect the town of Worth in the county of Jefferson," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Hawley
Mr. Bokes	Mr. Cook	Mr. Little

~~18~~ Tues

Mr. Brownson	Mr. Fine	Mr. Martin
Mr. Burch	Mr. Floyd	Mr. Tamblin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Wilkin

18

The bill from the Assembly entitled, "An act to prevent the destruction of fish in Big Sandy creek," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Little
Mr. Bokee	Mr. Fine	Mr. Smith
Mr. Bond	Mr. Floyd	Mr. Tamblin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Frost	Mr. Whallon
Mr. Bush	Mr. Hawley	Mr. Wilkin
Mr. Coffin		

22

The bill from the Assembly entitled, "An act to incorporate the North Haverstraw and Grassy Point Bridge Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Smith
Mr. Bond	Mr. Fox	Mr. Tamblin
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. Geddes	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	

23

*Ordered,* That the Clerk return the last twenty-one mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The statement of the New-York Life Insurance and Trust Company was received, and laid on the table.

The President announced to the Senate that it was his intention not again to resume the chair—that he made this announcement in order that the Senate might, if it deemed proper, be prepared to elect a temporary President. He then added :

Before taking leave of the Senate, I desire to express my most cordial and sincere thanks for the ever ready, and over indulgent as-

assistance, which from the first day of the session I have invariably experienced from each and every member of the Senate, in the discharge of my official duties, and for the kindness and gentlemanly courtesy which have characterised their private and social intercourse.

If I have been enabled to succeed in my efforts to discharge the duties of the delicate and often embarrassing position which I have occupied, in any degree to your satisfaction; my success will have been owing to the aid I have received from the members of the Senate, individually and collectively.

But a few weeks since, I came among you a stranger, amid strangers; but now, in taking my leave of the Senate, and in parting, in all probability to meet no more with some of these familiar faces, I feel that I am parting from my dear and cherished friends. To each one of you, Senators, in the sincerity of my heart, and with earnest friendship, I say *farewell*. May you return to your homes and to your constituencies, to meet happy families and grateful and approving friends; and through every stage of life, may the blessings of that Almighty Providence which we have here together daily invoked, attend and protect you.

The Senate then took a recess until 7 o'clock P. M.

## 7 O'CLOCK P. M.

The Senate again met.

On motion of Mr. Smith,

*Resolved*, That the Hon. Samuel J. Wilkin be, and he is hereby appointed, temporary President of the Senate.

Messrs. Johnson and Whallon were appointed a committee to wait upon the Assembly and inform them that the Senate had appointed the Hon. Samuel J. Wilkin, temporary President.

Messrs. Smith and Treadwell were appointed a committee to wait upon the Governor with a like message.

On motion of Mr. Fine,

*Resolved*, That the thanks of the Senate be returned to the Hon. Hamilton Fish, for the able and impartial manner in which he has discharged the duties of President of the Senate.

The bill from the Assembly entitled, "An act to declare the public use of a railroad from Buffalo to the State line between New-York and Pennsylvania," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrauth	Mr. Cook	Mr. Hawley
Mr. Beas	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin		

25

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The bill from the Assembly entitled, "An act for the appointment of wreck-masters in Suffolk, Queens, Kings, Richmond and Westchester counties," coming up for its third reading,

Mr. Floyd moved to recommit the same, with instructions to insert the following in lieu of the second section of said bill :

" § 2. The said wreck-masters shall be elected in the said several counties at the general election in the same manner as county clerks are now elected, and shall hold their offices for two years. The first election of said wreck-masters shall be at the general election in the year one thousand eight hundred and forty eight."

Which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Smith
Mr. Beas	Mr. Floyd	Mr. Tamblin

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FOR THE NEGATIVE.

Mr. Ayrauth	Mr. Clark	Mr. Johnson
Mr. Bokee	Mr. Coffin	Mr. Lawrence
Mr. Bond	Mr. Cook	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Williams
Mr. Bush		

16

Mr. Floyd then moved to recommit said bill, with instructions to insert the following in lieu of the second section of said bill :

" § 2. The boards of supervisors in the said counties shall annually appoint the wreck-masters for their respective counties."

Which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Adama	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Fine		

7

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Clark	Mr. Johnson
Mr. Bokee	Mr. Coffin	Mr. Lawrence
Mr. Bond	Mr. Cook	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Williams

18

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. W. Hall
Mr. Bokee	Mr. Cole	Mr. Johnson
Mr. Bond	Mr. Cook	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Williams

21

FOR THE NEGATIVE.

Mr. Adama	Mr. Floyd	Mr. Smith
Mr. Betts	Mr. Hawley	Mr. Tamblin
Mr. Fine		

7

Ordered, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The Assembly returned the bill entitled, "An act making appropriations for Sing Sing Prison," with a message informing that they had agreed to the report of the committee of conference upon the amendments thereto, and had passed the same agreeably to said report.

The President put the question upon agreeing to the report of said committee of conference, which was agreed to by the Senate, as follows:

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Little
Mr. Burch	Mr. Geddes	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Tamblin
Mr. Coffin	Mr. W. Hall	Mr. Wilkin
Mr. Cole		

22

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have agreed to the report of the committee of conference thereon, and have amended the same accordingly.

A bill was received from the Assembly for concurrence entitled, "An act to provide for the sale of certain lands belonging to the people of this State, and for the purchase of other lands," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

A communication was received from the Governor, transmitting the following communication from Maj. Gen. Zachary Taylor :

*Baton Rouge, (La.,) February 29, 1848.*

His Excellency,

JOHN YOUNG,  
*Governor of New-York.*

Your excellency's communication of the 25th ultimo, conveying to me a copy of the resolutions passed by the Legislature of New-York on the 29th of November last, has been duly placed in my hands by your excellency's aid, colonel Van Allen.

I greatly regret to inform you in reply, that while I have entertained the flattering invitation extended to me in these resolutions, with the high consideration due to the distinguished source from which it has emanated, I am yet under the painful necessity of declining it. My private interests in this quarter, and professional considerations of some weight with me, forbid my leaving this vicinity for so long a time during my present leave of absence.

I beg, however, that your excellency will take a suitable occasion of expressing to the honorable Legislature of your State, my profound acknowledgments for the unmerited honor conferred upon me, and of assuring them that could I yield with propriety to my inclinations, I should hasten at once to offer these acknowledgments in person.

With sentiments of high esteem,

I have the honor to be,

Your Excellency's ob't serv't,

Z. TAYLOR.

The bill from the Assembly entitled, "An act to incorporate the bank for the savings of merchant's clerks," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Fuller	Mr. Smith
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin		

25

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

A bill was received from the Assembly for concurrence entitled, "An act amendatory of the act entitled, 'An act authorising the business of banking,' passed April 18, 1838, and the acts amending the same," which was read the first time, and by unanimous consent was also read a second time, and ordered to a third reading.

By unanimous consent;

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Bush	Mr. Johnson
Mr. Betts	Mr. Clark	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Whallon
Mr. Burch	Mr. S. H. P. Hall	Mr. Wilkin

18

FOR THE NEGATIVE.

Mr. Coffin	Mr. W. Hall	Mr. Treadwell
Mr. Floyd	Mr. Smith	

8

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

The bill from the Assembly entitled, "An act authorizing the supervisors of Oneida county to borrow money to rebuild a court house and jail in said county," with the engrossed amendments, was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Johnson	Mr. Wilkin
Mr. Cook		

22

FOR THE NEGATIVE.

Mr. Brownson	1
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*Ordered.* That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

The Assembly returned the bill entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848, and for other purposes," with a message informing that they do concur in all of the amendments of the Senate to said bill, except the last two amendments.

Mr. Fine moved that the Senate do recede from their said last two amendments, which motion was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Fine	Mr. Martin	

11

FOR THE NEGATIVE.

Mr. Ayrault	Mr. Clark	Mr. W. Hall
Mr. Bokee	Mr. Cook	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Burch	Mr. Geddes	Mr. Little

12

Thereupon,  
*Resolved,* That the Senate do insist upon their said amendments

and request a committee of conference thereon, and in case the Assembly consent thereto, that Messrs. Bond, Lawrence and Floyd, be of said committee on the part of the Senate.

*Ordered,* That the Clerk deliver a copy of said resolution to the Assembly.

Four several messages were received from the Governor, in the words following, to wit :

EXECUTIVE CHAMBER, }  
*Albany, April 7, 1848.* }

TO THE SENATE :

I have this day approved and signed bills entitled,—

"An act for the relief of the legal heirs and devisees of Elizabeth Gilchrist," also

"An act to enable Jane Mary Jauncey and William Jauncey to take and hold real estate and to release the interest of the State in said real estate to said Jane Mary Jauncey and William Jauncey," also

"An act to incorporate the Clover Street Seminary," also

"An act to amend the act passed December 14, 1847, entitled 'An act to amend the acts relating to the Buffalo and Hamburg Turnpike Company,' passed January 23, 1830, and amended April 7, 1847," also

"An act to supply the deficiency in the money for the use and support of the Marine Hospital at Staten Island," also

"An act in relation to documentary evidence," also

"An act to provide for taking the acknowledgment of deeds and other instruments by persons residing out of the State of New-York," also

"An act to amend an act entitled, 'An act to incorporate the New-York institution for the blind,' passed April 21, 1831, and for other purposes."

JOHN YOUNG.

EXECUTIVE CHAMBER, }  
*Albany, April 8, 1847.* }

TO THE SENATE :

I have this day approved and signed bills entitled,—

"An act to incorporate the Long Island Canal and Navigation Company," also

"An act in relation to the State Arsenal in the city of New-York."

JOHN YOUNG.

EXECUTIVE CHAMBER, }  
*Albany, April 10, 1847.* }

TO THE SENATE :

I have this day approved and signed bills entitled,—

"An act incorporating the Sackett Harbor and Saratoga Railroad Company," also

"An act making appropriations to the Western House of Refuge," also

"An act in relation to courts of record in Oswego county."

JOHN YOUNG.

EXECUTIVE CHAMBER, }  
*Albany, April 11, 1848.* }

I have this day approved and signed bills entitled,—

"An act for the protection of emigrants arriving in the State of New-York," also

"An act to pay John R. Green the avails of certain escheated land," also

"An act to amend the act entitled, 'An act to provide for the enrolment of the militia and encourage the formation of uniform companies, excepting the first military division of this State,' passed May 13, 1847," also

"An act for the relief of Jacob M. Schermerhorn and Abraham M. Schermerhorn," also

"An act to amend the third section of the act passed December 14, 1847, entitled 'An act in relation to the judiciary,' passed May 12, 1847," also

"An act to provide for the publication of reports of the court of appeals," also

"An act to repeal the act passed December 15, 1847, entitled 'An act to pay Henry Storms a compensation for extra services rendered the State,' " also

"An act for the relief of Merial Dempsey, widow of John Dempsey, an alien, late of Litchfield in the county of Herkimer, deceased," also

"An act in relation to the Commissary General," also

"An act in relation to school district No. 12 in the towns of Milton and Ballston in the county of Saratoga," also

"An act in relation to the court of sessions of the county of Jefferson," also

"An act for the relief of the trustees of school district No. 10 in the town of Chatham, Columbia county," also

"An act to amend an act entitled, 'An act for the collection of taxes in the city of New-York,' passed April 18, 1843," also

"An act to authorise the formation of the Niagara Suspension Bridge House Company," also

"An act for the relief of William Swanton," also

"An act for the relief and benefit of the Cambridge Washington Academy," also

"An act extending the time to rebuild the bridge of the Chenango Canal Bridge Company," also

"An act to appropriate certain portions of the income of the United States Deposit and Literature funds to certain colleges, academies, and for other purposes," also

"An act to declare the public use of a railroad from Albany to Cohoes," also

"An act in relation to the public schools in the city of Syracuse," also

"An act to provide for the incorporation of bridge companies," also

"An act to reduce the tolls of the Oswego Bridge Company," also

"An act making appropriation for the State Library," also

"An act to amend the act entitled, 'An act relative to the poor,' passed March 31, 1847," also

"An act providing for compensation to the justices of the peace designated to hold the courts of sessions in the county of Orange," also

"An act to incorporate the Binghamton Savings Institution in the county of Broome," also

"An act to declare the public use of a railroad from Auburn to Ithaca through the towns of Fleming and Scipio and down the valley of Salmon creek," also

"An act confirming the appointment of commissioners of deeds in the city of Brooklyn," also

"An act releasing unto George H. Patterson and Robert D. Patterson a certain lot of ground in the seventh ward of the city of New-York," also

"An act to provide for the construction of a railroad from Genesee to the Genesee Valley canal," also

"An act to incorporate the New-York and Staten Island Steam Ferry Company," also

"An act to incorporate the East River Savings Institution," also

"An act for the relief of the grantees of the estate of Johanna Holthuyzen, late of the city of New-York," also

"An act for the settlement and payment of the expenses of James H. Sherrill incurred in defending himself from certain charges preferred before a select committee of the Senate."

JOHN YOUNG.

A message was received from the Assembly, informing that they had appointed Messrs. Rose and Wager a committee on the part of the Assembly to examine the Treasurer's accounts, &c.

The bill from the Assembly entitled, "An act to fix the time of electing officers for the Seneca Indians residing on the Cattaraugus and Allegany reservations in this State," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Cole	Mr. Johnson
Mr. Bond	Mr. Cook	Mr. Lawrence
Mr. Brownson	Mr. Fine	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin

21

The bill from the Assembly entitled, "An act to reimburse to the New-York institution for the instruction of the deaf and dumb certain expenses incurred by them in furnishing clothing to the State pupils," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cole	Mr. Johnson
Mr. Bokee	Mr. Cook	Mr. Lawrence
Mr. Bond	Mr. Fine	Mr. Martin
Mr. Brownson	Mr. Floyd	Mr. Smith
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin
Mr. Coffin	Mr. Hawley	

22

The bill from the Assembly entitled, "An act to authorise the commissioners of highways of the town of Chesterfield to borrow money to build a bridge," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	

20

The bill from the Assembly entitled, "An act to authorise Adriance Van Brunt and others to build a bridge over Gowanus creek," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Treadwell	
Mr. Coffin	Mr. Geddes	Mr. Whallon	
Mr. Cole	Mr. Johnson	Mr. Wilkin	18

## FOR THE NEGATIVE.

Mr. W. Hall			1
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The bill from the Assembly entitled, "An act in relation to the navigation of the East river by steamboats," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Martin	
Mr. Bond	Mr. Fuller	Mr. Smith	
Mr. Brownson	Mr. W. Hall	Mr. Treadwell	
Mr. Bush	Mr. Hawley	Mr. Whallon	
Mr. Coffin	Mr. Johnson	Mr. Wilkin	
Mr. Cole			19

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Fox	Mr. Geddes	3
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The bill from the Assembly entitled, "An act for the relief of St. Mary's church in the city of Rochester," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Treadwell	
Mr. Bush	Mr. W. Hall	Mr. Whallon	
Mr. Coffin	Mr. Hawley	Mr. Wilkin	
Mr. Cole	Mr. Johnson		20

The bill from the Assembly entitled, "An act to authorise Samuel W. Harned to construct a sett of ways for launching vessels," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. W. Hall	Mr. Treadwell
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Cole	Mr. Johnson	Mr. Wilkin

18

The bill from the Assembly entitled, "An act to change the corporate name of the Union Church of Pearl village in the town of Queensbury, and for other purposes," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Wilkin

21

## FOR THE NEGATIVE.

Mr. Cole	Mr. Geddes	2
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The bill from the Assembly entitled, "An act for the settlement of the claim of Hiram Mann against the Bank of Lyons," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Hawley
Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Bush	Mr. Fuller	Mr. Whallon
Mr. Coffin	Mr. W. Hall	

17

## FOR THE NEGATIVE.

Mr. Cole  
Mr. Smith

Mr. Treadwell

Mr. Wilkin

4

The bill from the Assembly entitled, "An act to amend an act entitled, 'An act authorising the supervisors of the county of Kings to create a loan and provide further accommodations for the confinement of prisoners,' passed April 21, 1846," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark

Mr. Coffin  
Mr. Cole  
Mr. Cook  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. W. Hall  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

23

The bill from the Assembly entitled, "An act to incorporate the Port Richmond and Bergen Point Ferry Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin

Mr. Cole  
Mr. Cook  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

23

## FOR THE NEGATIVE.

Mr. Geddes

1

The bill from the Assembly entitled, "An act to confirm the title of a certain lot of land to William Radley," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Martin
Mr. Bond	Mr. Fox	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. W. Hall	Mr. Whallon
Mr. Cook	Mr. Johnson	Mr. Wilkin

18

The bill from the Assembly entitled, "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Rome," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Cole	Mr. Hawley	Mr. Williams

21

The bill from the Assembly entitled, "An act to authorise a tax upon the town of Lyons to build a bridge in said town," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Floyd	Mr. Lawrence
Mr. Betts	Mr. Fox	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Cole	Mr. W. Hall	Mr. Whallon
Mr. Cook	Mr. Hawley	Mr. Williams
Mr. Fine	Mr. Johnson	

23

The bill from the Assembly entitled, "An act to pay the city of Syracuse for certain improvements on State lands," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Floyd	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Williams
Mr. Cole		

28

The bill from the Assembly entitled, "An act in relation to the recorder's court of the city of Buffalo," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Floyd	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Tamblin
Mr. Bush	Mr. Fuller	Mr. Treadwell
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

20

The bill from the Assembly entitled, "An act to repeal an act entitled, 'An act for the preservation of fish in the Hudson river,' passed March 22, 1845," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as followg :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Coffin	Mr. S. H. P. Hall
Mr. Bokee	Mr. Cole	Mr. W. Hall
Mr. Bond	Mr. Floyd	Mr. Johnson
Mr. Brownson	Mr. Fox	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Smith
Mr. Clark	Mr. Geddes	Mr. Whallon

18

FOR THE NEGATIVE.

Mr. Cook	Mr. Martin	Mr. Treadwell
Mr. Lawrence	Mr. Tamblin	

5

The bill from the Assembly entitled, "An act to incorporate the Oswegatchie Navigation Company," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Cook	Mr. Lawrence	
Mr. Bokee	Mr. Fine	Mr. Little	
Mr. Brownson	Mr. Floyd	Mr. Martin	
Mr. Burch	Mr. Fuller	Mr. Smith	
Mr. Clark	Mr. Geddes	Mr. Tamblin	
Mr. Coffin	Mr. W. Hall	Mr. Treadwell	
Mr. Cole	Mr. Johnson	Mr. Whallon	21

FOR THE NEGATIVE.

Mr. Williams			1
--------------	--	--	---

The bill from the Assembly entitled, "An act to authorise the city of Albany to raise money by tax to build a district school house," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. Johnson	
Mr. Betts	Mr. Fine	Mr. Lawrence	
Mr. Bokee	Mr. Floyd	Mr. Martin	
Mr. Bond	Mr. Fox	Mr. Smith	
Mr. Brownson	Mr. Fuller	Mr. Tamblin	
Mr. Bush	Mr. W. Hall	Mr. Treadwell	
Mr. Clark	Mr. Hawley	Mr. Williams	21

The bill from the Assembly entitled, "An act to authorise the Comptroller to make temporary loans to supply any deficit in the treasury," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Coffin	Mr. W. Hall	
Mr. Betts	Mr. Cole	Mr. Johnson	
Mr. Bokee	Mr. Fine	Mr. Lawrence	
Mr. Bond	Mr. Fox	Mr. Martin	
Mr. Brownson	Mr. Fuller	Mr. Whallon	
Mr. Bush	Mr. Geddes	Mr. Williams	
Mr. Clark	Mr. S. H. P. Hall		20

## FOR THE NEGATIVE.

Mr. Floyd	Mr. Smith	Mr. Tamblin	3
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The bill from the Assembly entitled, "An act providing for the improvement of Conesus lake as a reservoir to supply the Genesee Valley and Erie canals with water," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Martin	
Mr. Betts	Mr. Fox	Mr. Tamblin	
Mr. Bokee	Mr. Fuller	Mr. Treadwell	
Mr. Bond	Mr. W. Hall	Mr. Whallon	
Mr. Bush	Mr. Johnson	Mr. Williams	
Mr. Cook	Mr. Lawrence		17

## FOR THE NEGATIVE.

Mr. Ayrault	Mr. Floyd	Mr. Smith	
Mr. Clark			4

The bill from the Assembly entitled, "An act to amend an act to incorporate the Brooklyn and Jamaica Railroad Company, passed April 25, 1892," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley	
Mr. Betts	Mr. Cook	Mr. Johnson	
Mr. Bokee	Mr. Fine	Mr. Lawrence	
Mr. Bond	Mr. Fox	Mr. Little	
Mr. Brownson	Mr. Fuller	Mr. Martin	
Mr. Burch	Mr. Geddes	Mr. Whallon	
Mr. Bush	Mr. W. Hall	Mr. Wilkin	
Mr. Coffin			22

The bill from the Assembly entitled, "An act to pay certain expenses of Morgan Johnson for contesting and Solomon Moss for defending the right to a seat in the Assembly from the second Assembly district of the county of Niagara," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Bush	Mr. Fuller	Mr. Martin
Mr. Clark	Mr. Geddes	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin

21

## FOR THE NEGATIVE.

Mr. Brownson

1

The bill from the Assembly entitled, "An act authorising the appraisal and payment of canal damages to Frederick Green and Theodorus Catlin," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Clark	Mr. W. Hall
Mr. Betts	Mr. Coffin	Mr. Hawley
Mr. Bokee	Mr. Cole	Mr. Johnson
Mr. Bond	Mr. Cook	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Geddes	Mr. Whallon
Mr. Bush	Mr. S. H. P. Hall	

20

## FOR THE NEGATIVE.

Mr. Floyd

Mr. Martin

2

The bill from the Assembly entitled, "An act to authorise the appraisal and payment of canal damages to John Donnelly," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Hawley
Mr. Bokee	Mr. Cole	Mr. Johnson
Mr. Bond	Mr. Cook	Mr. Martin
Mr. Brownson	Mr. Fine	Mr. Treadwell
Mr. Burch	Mr. Fox	Mr. Whallon
Mr. Bush	Mr. Fuller	Mr. Wilkin
Mr. Clark	Mr. S. H. P. Hall	

20

## FOR THE NEGATIVE.

Mr. Floyd

1

The bill from the Assembly entitled, "An act to amend 'An act for the improvement of highways in the county of Richmond,'" was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Bokee  
Mr. Brownson  
Mr. Bush  
Mr. Clark  
Mr. Coffin  
Mr. Cook

Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

20

The bill from the Assembly entitled, "An act to change the name of Charles Dexter Beers to Charles Dexter Gambril," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Coffin

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

19

## FOR THE NEGATIVE.

Mr. S. H. P. Hall

Mr. W. Hall

2

The bill from the Assembly entitled, "An act in relation to the Prattville Turnpike Company, and the inhabitants living along the same in the town of Lexington," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Lawrence
Mr. Bokee	Mr. Floyd	Mr. Little
Mr. Brownson	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin		

22

The bill from the Assembly entitled, "An act for the relief of John Tice, Samuel Shelland, Alfred White and Peter Hynds, late commissioners of highways of the town of Seward," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Brownson	Mr. Fox	Mr. Little
Mr. Burch	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Clark	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Wilkin

21

The bill from the Assembly entitled, "An act to authorise Francis E. Erwin to erect and maintain a dam across Mead's creek in the county of Steuben," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Little
Mr. Burch	Mr. S. H. P. Hall	Mr. Martin
Mr. Clark	Mr. W. Hall	Mr. Tamblin
Mr. Coffin	Mr. Hawley	Mr. Whallon
Mr. Fine	Mr. Johnson	Mr. Wilkin

18

The bill from the Assembly entitled, "An act to authorise a tax upon the town of Canton to complete the embankment between the two bridges over Grass river," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Little
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Brownson	Mr. W. Hall	Mr. Treadwell
Mr. Burch	Mr. Hawley	Mr. Whallon
Mr. Bush	Mr. Johnson	Mr. Wilkin
Mr. Clark	Mr. Lawrence	

20

The bill from the Assembly entitled, "An act to authorise the Canal Commissioners to lease certain surplus waters of the Erie canal to Rhoderick Price," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Coffin	Mr. Hawley
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Burch	Mr. Geddes	Mr. Treadwell
Mr. Bush	Mr. S. H. P. Hall	Mr. Whallon
Mr. Clark	Mr. W. Hall	Mr. Wilkin

24

The bill from the Assembly entitled, "An act relating to the county superintendents of the poor in the county of Kings," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cook	Mr. Hawley
Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fox	Mr. Little
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Whallon
Mr. Coffin	Mr. W. Hall	Mr. Wilkin

24

The bill from the Assembly entitled, "An act to extend Third-street east in the village of Johnstown to Second-street," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts	Mr. Fine	Mr. Johnson
Mr. Bokee	Mr. Floyd	Mr. Lawrence
Mr. Bond	Mr. Fuller	Mr. Martin
Mr. Brownson	Mr. Geddes	Mr. Smith
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Coffin	Mr. Hawley	Mr. Wilkin

18

## FOR THE NEGATIVE.

Mr. Cole	Mr. Cook	Mr. Fox	3
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The bill from the Assembly entitled, "An act for the presentation of a copy of the Natural History of this State to the patent office at Washington, to the New-York Historical Society and to the Smithsonian Institute," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Cook	Mr. Lawrence
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Floyd	Mr. Martin
Mr. Brownson	Mr. Fox	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Coffin		

25

## FOR THE NEGATIVE.

Mr. Geddes	1
------------	---

The bill from the Assembly entitled, "An act authorising the appraisal and payment of certain damages to Marcus Adams," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee	Mr. Fine	Mr. Johnson
Mr. Bond	Mr. Fox	Mr. Lawrence
Mr. Brownson	Mr. Fuller	Mr. Martin
Mr. Bush	Mr. Geddes	Mr. Treadwell

Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. W. Hall  
Mr. Hawley

Mr. Whallon  
Mr. Wilkin

19

## FOR THE NEGATIVE.

Mr. Floyd

1

*Ordered*, That the Clerk return said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

A motion to adjourn was decided in the negative, as follows :

## FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Brownson  
Mr. Bush

Mr. W. Hall  
Mr. Johnson  
Mr. Lawrence

Mr. Martin  
Mr. Treadwell

8

## FOR THE NEGATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Coffin  
Mr. Cole  
Mr. Cook

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller

Mr. Hawley  
Mr. Smith  
Mr. Whallon  
Mr. Wilkin

13

The bill from the Assembly entitled, "An act to provide for the appraisal and payment of canal damages to Cicero Collins, Charles W. Woolston and Erastus Hughes," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Bush  
Mr. Coffin

Mr. Fine  
Mr. Fox  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley

Mr. Lawrence  
Mr. Martin  
Mr. Treadwell  
Mr. Wilkin

14

## FOR THE NEGATIVE.

Mr. Betts  
Mr. Cole  
Mr. Cook

Mr. Floyd  
Mr. Johnson

Mr. Smith  
Mr. Whallon

7

Mr. Fuller moved a reconsideration of the vote just taken, which motion was laid on the table.

The bill from the Assembly entitled, "An act to require superintendents of the poor to give bonds," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Betts	Mr. Cole	Mr. Hawley	
Mr. Bokee	Mr. Cook	Mr. Lawrence	
Mr. Bond	Mr. Fine	Mr. Smith	
Mr. Brownson	Mr. Floyd	Mr. Treadwell	
Mr. Bush	Mr. Fox	Mr. Whallon	
Mr. Coffin	Mr. Fuller	Mr. Wilkin	18

**FOR THE NEGATIVE.**

Mr. Martin	1
------------	---

The bill from the Assembly entitled, "An act to provide for the settlement of the claims of Jonathan S. Caulkins and Eddy Cole for work done on the Erie canal enlargement," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Bokee	Mr. Fine	Mr. Hawley	
Mr. Bond	Mr. Floyd	Mr. Lawrence	
Mr. Brownson	Mr. Fox	Mr. Martin	
Mr. Bush	Mr. Fuller	Mr. Treadwell	
Mr. Coffin	Mr. Geddes	Mr. Whallon	
Mr. Cole	Mr. W. Hall	Mr. Wilkin	18

**FOR THE NEGATIVE.**

Mr. Betts	Mr. Smith	2
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The bill from the Assembly entitled, "An act to authorise the appraisal and payment of damages to Isaac Price for the temporary occupation of certain lands in the village of Lockport," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

**FOR THE AFFIRMATIVE.**

Mr. Bokee	Mr. Cook	Mr. W. Hall
Mr. Bond	Mr. Fine	Mr. Hawley
Mr. Brownson	Mr. Floyd	Mr. Lawrence
Mr. Bush	Mr. Fox	Mr. Martin

Mr. Coffin  
Mr. Cole

Mr. Fuller  
Mr. Geddes

Mr. Wilkin

17

FOR THE NEGATIVE.

Mr. Betts  
Mr. Smith

Mr. Treadwell

Mr. Whallon

4

The bill from the Assembly entitled, "An act to change the name of Henry P. Reynolds and William W. Reynolds to Henry P. Keith and William W. Keith," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Fox  
Mr. Fuller  
Mr. W. Hall  
Mr. Hawley

Mr. Lawrence  
Mr. Martin  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

17

FOR THE NEGATIVE.

Mr. Floyd

Mr. Geddes

Mr. Smith

3

Ordered, That the Clerk return said bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

By unanimous consent,

Mr. Smith, from the committee on roads and bridges, reported in favor of the passage of the bill from the Assembly entitled, "An act to amend the charter of the Fallsburgh and Liberty Turnpike Road Company," which, by unanimous consent, was ordered to a third reading.

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Mr. Betts  
Mr. Bokee  
Mr. Bond  
Mr. Brownson  
Mr. Bush  
Mr. Coffin  
Mr. Cole

Mr. Cook  
Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. W. Hall

Mr. Lawrence  
Mr. Martin  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Wilkin

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Then the Senate adjourned until nine o'clock to-morrow morning.

WEDNESDAY, 9 O'CLOCK, A. M., APRIL 12, 1848.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Caughey.

The reading of the journal of yesterday was dispensed with.

The Assembly returned the bill entitled, "An act making appropriations for the expenses of government for the fiscal year commencing October 1, 1848, and for other purposes," with a message informing that they had agreed to the appointment of a committee of conference upon the amendments thereto, and had appointed Messrs. Pruyn, Rose, Fiske, W. S. Smith and Wager, said committee on the part of the Assembly.

Afterwards,

A message was received from the Assembly informing that they had disagreed to the report of the committee of conference upon said amendments to said bill.

Mr. Fine moved that the Senate do recede from their last two amendments to said bill, which motion was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Mr. Ayrault  
Mr. Betts  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Coffin  
Mr. Cook  
Mr. Fine

Mr. Floyd  
Mr. Fox  
Mr. Frost  
Mr. Fuller  
Mr. Geddes  
Mr. Johnson  
Mr. Lawrence

Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

## FOR THE NEGATIVE.

Mr. Bokee

Mr. Bond

Mr. Clark

3

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have receded from their said amendments, and have passed the same agreeably to the amendments agreed upon.

On motion of Mr. Fuller, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill from the Assembly entitled, "An act authorising the building of a bridge over the Erie canal and the Genesee Valley canal in the city of Rochester," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Fuller, Geddes and Betts, be said committee.

Afterwards,

Mr. Fuller, from said committee, reported said bill complete, which report was agreed to by the Senate, and said bill ordered to a third reading.

On motion of Mr. Bush, and by unanimous consent,

*Ordered*, That the committee of the whole be discharged from the further consideration of two several bills from the Assembly with the following titles, to wit :

"An act to authorise a loan to the counties of Erie, Genesee and Orleans, for the purpose of building a bridge across the Tonawanda creek near Tonawanda village," also

"An act to change the name of James White Bowen to James P. White," and that the same be referred to a select committee to consider and report complete.

*Ordered*, That Messrs. Bush, Martin and Ayrault, be said committee.

Afterwards,

Mr. Bush, from said committee, reported said bills complete, which reports were severally agreed to by the Senate, and said bills ordered to a third reading.

Mr. Clark, from the committee on manufactures, reported complete, with amendments, the bill from the Assembly entitled, "An act to provide for the sale of certain lands belonging to the people of this State and for the purchase of other lands," which report was agreed to by the Senate, and said amendments ordered engrossed, and said bill to a third reading.

The bill from the Assembly entitled, "An act in relation to the quarantine establishment on Staten Island," was read the third time and lost, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Betts  
Mr. Bokee  
Mr. Bush  
Mr. Clark  
Mr. Cook

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. S. H. P. Hall  
Mr. Hawley

Mr. Little  
Mr. Smith  
Mr. Treadwell  
Mr. Whallon  
Mr. Williams

16

## FOR THE NEGATIVE.

Mr. Burch  
Mr. Coffin  
Mr. Cole

Mr. Geddes  
Mr. W. Hall  
Mr. Johnson

Mr. Lawrence  
Mr. Martin

8

The Assembly returned nine several bills with the following titles, to wit :

"An act in relation to the State offices, and to provide for the expenses thereof," also

"An act providing for the appropriation of certain moneys towards building a bridge across the Allegany river," also

"An act making appropriations for the society for the reformation of juvenile delinquents in the city of New-York," also

"An act for the incorporation of benevolent, charitable and missionary societies," also

"An act in relation to the sale of lands in the Canadian and Nova Scotia refugee tract in the town of Plattsburg," also

"An act to organise and establish a recorder's court in the city of Oswego," also

"An act to vest certain powers in the recorder of the city of Hudson," also

"An act to provide for the incorporation and regulation of Telegraph Companies," also

"An act in relation to the proof of the statute and common law of other states and territories," with a message informing that they had concurred with the Senate in their amendments thereto severally, and had amended the same accordingly.

Said amended bills having been examined.

*Ordered*, That the clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act making appropriations for the Sing Sing prison."

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned three several bills with the following titles, to wit :

"An act to declare the public use of a railroad from Buffalo to the State line between New-York and Pennsylvania," also

"An act to enable Mary Grogan to hold and convey certain real estate," also

"An act to incorporate the institution for the savings of merchants' clerks," with a message informing that they had concurred with the Senate in their amendments thereto severally, and had amended the same accordingly.

Said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The Assembly returned the bill entitled, "An act to incorporate the Pacific Mail Steamship Company," with a message informing that they had passed the same without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned the concurrent resolutions in relation to the improvement of harbors and rivers, with a message informing that they had concurred therein.

The Assembly returned the bill entitled, "An act to build a jail in the city of Oswego," with a message informing that they had passed the same with the amendments therewith delivered, which were read and concurred in, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Bush	Mr. Fuller
Mr. Ayrault	Mr. Coffin	Mr. S. H. P. Hall
Mr. Betts	Mr. Cook	Mr. Johnson
Mr. Bokee	Mr. Fine	Mr. Little
Mr. Bond	Mr. Fox	Mr. Martin
Mr. Burch	Mr. Frost	Mr. Smith

18

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

Afterwards, the Assembly returned said bill.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

On motion of Mr. Treadwell,

The Senate then proceeded to the consideration of the report of the select committee upon the bill from the Assembly entitled, "An act in relation to the prices for wharfage heretofore charged for vessels landing at the pier on the east side of the city of Albany."

Without taking any question thereon,

A motion to refer said bill to the select committee to which the Albany basin bill has been referred, was decided in the affirmative, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Ayrault	Mr. Burch	Mr. Johnson
Mr. Betts	Mr. Bush	Mr. Little
Mr. Bond	Mr. Clark	Mr. Martin
Mr. Brownson	Mr. Cook	Mr. Smith

12

## FOR THE NEGATIVE.

Mr. Adams	Mr. Frost	Mr. Treadwell	8
Mr. Coffin	Mr. Fuller	Mr. Whallon	
Mr. Fox	Mr. Tamblin		

Mr. S. H. P. Hall, from the committee of conference upon the amendments to the bill entitled, "An act in relation to the Clinton State prison," reported that said committee had agreed to certain amendments to said bill, which report was agreed to by the Senate, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Hawley	20
Mr. Ayrault	Mr. Floyd	Mr. Lawrence	
Mr. Betts	Mr. Fox	Mr. Little	
Mr. Brownson	Mr. Frost	Mr. Martin	
Mr. Burch	Mr. Fuller	Mr. Smith	
Mr. Coffin	Mr. S. H. P. Hall	Mr. Treadwell	
Mr. Cole	Mr. W. Hall		

## FOR THE NEGATIVE.

Mr. Tamblin	Mr. Whallon	2
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*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate having agreed to the report of the committee of conference thereon, and have passed the same accordingly.

Afterwards,

The Assembly returned said bill, with a message informing that they do not agree to the report of said committee of conference upon the amendments to said bill.

On motion of Mr. Geddes,

*Ordered*, That the committee on roads and bridges be discharged from the further consideration of two several bills from the Assembly with the following titles, to wit :

"An act authorising a loan to the county of Warren to build a bridge across the Hudson river," also

"An act authorising a loan to the county of Saratoga to build a bridge across the Hudson river," and that the same be laid on the table.

On motion of Mr. Johnson,

*Ordered*, That the committee on railroads be discharged from the further consideration of the bill from the Assembly entitled, "An act to preserve a fair competition between the Albany and Schenectady Railroad Company and the Troy and Schenectady Railroad Company," and that the same be laid on the table.

A communication was received from the Secretary of State transmitting the report of births, marriages and deaths for the year 1847, which was laid on the table.

(See Senate Doc. No. 73.)

On motion of Mr. Smith,

The Senate then proceeded to elect, by ballot, a member on the part of the Senate of the joint committee proposed to be elected by the two Houses of the Legislature, in pursuance of the concurrent resolution of the same, to examine the Treasurer's accounts, &c., and the ballots having been taken and counted, it appeared that Mr. Brownson was duly elected.

Thereupon,

*Resolved*, That Mr. Brownson is duly elected a member of said committee, in pursuance of a concurrent resolution of the Senate and Assembly.

The Assembly returned three several bills with the following titles, to wit:

"An act to cede certain lands to the village or city of Oswego, as the case may be," also

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to re-sell certain lands and tenements for taxes and assessments in said city, and to fund an amount sufficient to repay the purchase money received from former sales of such lands and tenements," also

"An act to repeal 'An act concerning passengers arriving at the ports of entry and landings in this State,' passed December 10, 1847," with a message informing that they do non-concur in the passage of said bills severally.

The Assembly returned the bill entitled, "An act to erect the town of North Hudson in the county of Essex," with a message informing that they had passed the same with the amendments therewith delivered, which amendments were read and concurred in, as follows:

FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Little
Mr. Ayrault	Mr. Fine	Mr. Martin
Mr. Betts	Mr. Floyd	Mr. Smith
Mr. Brownson	Mr. Fox	Mr. Treadwell
Mr. Burch	Mr. Fuller	Mr. Whallon
Mr. Bush	Mr. Geddes	Mr. Williams
Mr. Coffin	Mr. S. H. P. Hall	

20

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have concurred in their amendments to said bill, and have amended the same accordingly.

Afterwards the Assembly returned said bill.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned nineteen several bills with the following titles, to wit :

"An act in relation to public offices in the new State Hall," also

"An act to amend an act entitled, 'An act for the adjustment of claims for military purposes in the city of New-York, and for the distribution of the commutation moneys received under the act passed May 3, 1846,' passed November 29, 1847," also

"An act to remove obstructions below the ship lock at lower Black Rock in the Niagara river," also

"An act to erect the town of Wayland from parts of Cohocton and Dansville in the county of Steuben," also

"An act to incorporate the New-York and Savannah Steam Navigation Company," also

"An act to amend, 'An act to incorporate the village of Canton,' passed May 13, 1845," also

"An act for the relief of Joseph G Case," also

"An act to amend the act for the better regulation of county and State prisons," also

"An act to incorporate the Liberty Normal Institute," also

"An act relating to chattel mortgages in the city of Rochester," also

"An act to enable the board of supervisors of the city and county of New-York to raise money by tax," also

"An act to enable the town of Day to raise money to build a bridge," also

"An act in relation to the Munro Academy in the town of Elbridge in the county of Onondaga," also

"An act for the preservation of game in the counties of Orange and Greene," also

"An act for the relief of the cemetery association of the village of Adams," also

"An act to amend an act in relation to the road of the Phillipstown Turnpike Company, passed November 13, 1847," also

"An act concerning the office of district attorney of the county of Sullivan," also

"An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirk's mills to Piseco village,'" also

"An act to amend an act incorporating the village of Plattsburg, passed April 26, 1831, and the acts amendatory thereof," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

The Assembly returned six several bills with the following titles, to wit :

"An act to grant to John Harrison Kirby the right to hold and convey real estate," also

"An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on lake Champlain to Boonville;" also

"An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburgh in the county of Kings," also

"An act for the relief of Eli Hamilton and Peter Hamilton," also

"An act for the relief of Holloway Long," also

"An act for the permanent establishment of the Normal School," with a message informing that they had passed the same severally without amendment.

Thereupon,

*Ordered*, That the same be delivered to the Governor.

A bill was received from the Assembly for concurrence entitled, "An act in relation to the Clinton State Prison," which was read the first time, and by unanimous consent was also read a second time, and committed to the committee of the whole.

The Senate then spent some time in committee of the whole upon said bill, and Mr. Bush, from said committee, reported said bill with amendments, which report was agreed to by the Senate, and said bill ordered to a third reading.

By unanimous consent,

Said bill was then read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

#### FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Lawrence
Mr. Ayrault	Mr. Fox	Mr. Little
Mr. Betts	Mr. Frost	Mr. Martin
Mr. Bokee	Mr. Fuller	Mr. Smith
Mr. Brownson	Mr. Geddes	Mr. Tamblin
Mr. Burch	Mr. S. H. P. Hall	Mr. Treadwell
Mr. Bush	Mr. W. Hall	Mr. Whallon
Mr. Clark	Mr. Hawley	Mr. Wilkin
Mr. Cook	Mr. Johnson	Mr. Williams

27

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same with the amendments therewith delivered.

Afterwards,

The Assembly returned said bill, with a message informing that they had concurred with the Senate in their amendments to said bill, and had amended the same accordingly.

Said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Assembly.

The concurrent resolution for the amendment of the Constitution was then read the third time and passed, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cook	Mr. Johnson
Mr. Ayrault	Mr. Fine	Mr. Lawrence
Mr. Betts	Mr. Floyd	Mr. Little
Mr. Bokee	Mr. Fox	Mr. Martin
Mr. Brownson	Mr. Frost	Mr. Smith
Mr. Burch	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Clark	Mr. S. H. P. Hall	Mr. Wilkin
Mr. Coffin	Mr. W. Hall	Mr. Williams
Mr. Cole	Mr. Hawley	

29

The bill from the Assembly entitled, "An act to change the name of James White Bowen to James P. White," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Cole	Mr. Johnson
Mr. Betts	Mr. Fine	Mr. Martin
Mr. Burch	Mr. Fox	Mr. Treadwell
Mr. Bush	Mr. Frost	Mr. Wilkin
Mr. Clark	Mr. Fuller	Mr. Williams
Mr. Coffin	Mr. W. Hall	

17

## FOR THE NEGATIVE.

Mr. Smith	1
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The bill from the Assembly entitled, "An act authorising the building of a bridge over the Erie canal and the Genesee Valley canal in the city of Rochester," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

## FOR THE AFFIRMATIVE.

Mr. Adams	Mr. Fine	Mr. Johnson
Mr. Betts	Mr. Fox	Mr. Lawrence
Mr. Bokee	Mr. Frost	Mr. Little
Mr. Bond	Mr. Fuller	Mr. Tamblin
Mr. Bush	Mr. Geddes	Mr. Treadwell
Mr. Coffin	Mr. S. H. P. Hall	Mr. Whallon
Mr. Cole	Mr. W. Hall	Mr. Wilkin
Mr. Cook	Mr. Hawley	Mr. Williams

24

FOR THE NEGATIVE.

Mr. Brownson  
Mr. Burch

Mr. Floyd

Mr. Martin

4

*Ordered*, That the Clerk return the last two mentioned bills to the Assembly, and inform them that the Senate have passed the same severally without amendment.

The bill from the Assembly entitled, "An act to authorise a loan to the counties of Erie, Genesee and Orleans, for the purpose of building a bridge across the Tonawanda creek near Tonawanda village," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Mr. Adams  
Mr. Ayrault  
Mr. Betts  
Mr. Bokee  
Mr. Brownson  
Mr. Burch  
Mr. Bush  
Mr. Clark  
Mr. Coffin

Mr. Fine  
Mr. Floyd  
Mr. Fox  
Mr. Fuller  
Mr. Geddes  
Mr. S. H. P. Hall  
Mr. W. Hall  
Mr. Hawley  
Mr. Johnson

Mr. Lawrence  
Mr. Little  
Mr. Martin  
Mr. Smith  
Mr. Tamblin  
Mr. Treadwell  
Mr. Wilkin  
Mr. Williams

26

FOR THE NEGATIVE.

Mr. Cole

1

*Ordered*, That the Clerk return said bill to the Assembly, and inform them that the Senate have passed the same without amendment.

Three several messages were received from the Governor, in the words following, to wit :

EXECUTIVE CHAMBER, }  
*Albany, April 12, 1848.* }

TO THE SENATE :

I have this day approved and signed a bill entitled,—  
"An act for the permanent establishment of the Normal School."  
JOHN YOUNG.

EXECUTIVE CHAMBER, }  
*Albany, April 12, 1848.* }

TO THE SENATE :

I have this day approved and signed a bill entitled,—  
"An act to erect the town of North Hudson in the county of Essex."  
JOHN YOUNG.

EXECUTIVE CHAMBER, }  
 Albany, April 12 1847. }

TO THE SENATE :

I have this day approved and signed bills entitled,—

"An act declaratory of the meaning of the words 'Delaware and Hudson' in the act passed April 8, 1848," also

"An act in respect to the funds and securities in the possession of the clerk of the court of appeals," also

"An act to amend the act in relation to justices' and police courts in the city of New-York, passed March 30, 1848," also

"An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State," also

"An act to facilitate the determination of existing suits in the courts of this State," also

"An act for the relief of the cemetery association of the village of Adams," also

"An act for the preservation of game in the counties of Orange and Greene," also

"An act in relation to Munro Academy in the town of Elbridge in the county of Onondaga," also

"An act to enable the town of Day to raise money to build a bridge," also

"An act to enable the board of supervisors of the county of New-York to raise money by tax," also

"An act to build a jail in the city of Oswego," also

"An act relating to chattel mortgages in the city of Rochester," also

"An act to incorporate the Liberty Normal Institute," also

"An act to amend the act for the better regulation of county and State prisons," also

"An act for the relief of Joseph G. Case," also

"An act to amend 'An act to incorporate the village of Canton,' passed May 13, 1845," also

"An act to incorporate the New-York and Savannah Steam Navigation Company," also

"An act making appropriations for Sing Sing prison," also

"An act to incorporate the Black River Steamboat Company," also

"An act to amend 'An act incorporating the village of Plattsburg,' passed April 26, 1831, and the acts amendatory thereof."

"An act to amend the act entitled, 'An act to authorise the laying out of a road from Newkirk's mills to Piseco village,'" also

"An act to erect the town of Wayland from parts of Cohocton and Dansville in the county of Steuben," also

"An act to remove obstructions below the ship lock at lower Black Rock in the Niagara river," also

"An act to amend an act entitled, 'An act for the adjustment of claims for military purposes in the city of New-York, and for the distribution of the commutation moneys received under the act passed May 3, 1846,' passed November 27, 1847," also

“An act in relation to the public offices in the new State Hall,” also

“An act to incorporate the Pacific Mail Steamship Company,” also

“An act concerning the office of district attorney of the county of Sullivan,” also

“An act to amend an act entitled, ‘An act in relation to the road of the Phillipstown Turnpike Company,’ passed November 13, 1847,” also

“An act for the relief of Holloway Long,” also

“An act for the relief Eli Hamilton and Peter Hamilton,” also

“An act authorising Obadiah Newcomb, jr., and other persons, to erect and maintain docks in the village of Williamsburg in the county of Kings,” also

“An act to grant to John Harrison Kirby the right to hold and convey real estate,” also

“An act extending the time for the construction of a railroad and slack water navigation from or near Port Kent on Lake Champlain to Boonville.”

JOHN YOUNG.

*Ordered*, That Messrs. Bokee and Smith wait upon the Assembly and inform them that the Senate are ready to adjourn.

*Ordered*, That Messrs. Martin and Whallon wait upon the Governor, and inform him that unless he has some further communication to lay before the Legislature, the Senate will adjourn.

Mr. Bokee reported that Mr. Smith and himself had waited upon the Assembly and delivered the message of the Senate.

Mr. Martin reported that Mr. Whallon and himself had waited upon the Governor and delivered the message of the Senate, to which His Excellency was pleased to say, that he had no further communication to make to the Legislature.

A message was received from the Assembly, delivered by Messrs. Raymond and Chamberlain, informing that they were ready to adjourn.

Thereupon,

The temporary President adjourned the Senate without day.

A. H. CALHOUN, *Clerk*.



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